

DATE: July 26, 2022

**DEVELOPER'S STATEMENT & MITIGATION MONITORING/REPORTING PROGRAM
FOR VESTING TENTATIVE PARCEL MAP SUB2017-00039/ ED17-272 (BOULTON)**

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.

Project Description: A request by **Brad Boulton** for a Vesting Tentative Parcel Map (SUB2017-00039 / CO 17-0227) to subdivide an existing undeveloped 10.01-acre parcel into two approximately 5-acre parcels for the purpose of sale and/or development. Each resulting parcel will have a designated building envelope which could support a primary residence, accessory structures and supporting appurtenances. Both parcels will be served by an existing shared well. Improvements include the construction of a shared driveway and a 24-foot-wide access road serving a single building site on each parcel. The project will result in a total disturbance area of approximately three and one-half (<3.5) acres, including 4,500 cubic yards (cy) of cut and fill. The project includes a request for an adjustment to the County's Title 21 Real Property Division design criteria to allow for an exceedance of the maximum ratio of parcel depth to parcel width. The project site is located at 1688 Old Oak Park Road, approximately 1.5 miles north of the City of Arroyo Grande within the Residential Rural land use category. The site is in the San Luis Bay Inland Sub Area South of the South County Planning Area.

MITIGATIONS:

Aesthetics and Visual Resources

AES-1 Building Restriction Areas. At the time of application for subdivision improvement plan and construction permits on the individual lots, the applicant shall clearly delineate the building restriction areas on the project plans for each lot, as shown on the tentative parcel map.

Compliance: Compliance will be verified by SLO County Department of Planning and Building, in consultation with Public Works.

AES-2 Revegetation of Cut Slopes. At the time of application for subdivision improvement plan and construction permits on the individual lots, the applicant shall clearly delineate the vertical height of all cut and all slopes on the plans and the border of cut slopes and fills rounded off to a minimum radius of five (5) feet. All cut or fill areas that will be visible from Ormonde and Old Oak Park Roads exceeding five (5) feet in vertical height above or below the existing ground surface shall meet the following standards:

1. Revegetation program must be designed and overseen by a landscape professional.
2. The goal of revegetation shall be to establish a permanent self-sustaining plant cover that will blend and be compatible with the surrounding environment.
3. Plant coverage shall be at least seventy-five percent (75%) within six (6) months after grading is complete.
4. If plant coverage does not meet the standard above, remedial action shall be taken until such time as the standard is met and maintained.

Within fifteen (15) months of completing grading, the applicant shall submit a letter prepared by a landscape professional to the Department of Planning and Building summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

Compliance: Compliance will be verified by SLO County Department of Planning and Building, in consultation with Public Works.

AES-3 The applicant shall prepare an additional map sheet to be approved by the County Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel map and shall include the following:

1. The applicant shall clearly delineate the vertical height of all cut and all slopes on the improvement plans and the border of cut slopes and fills rounded off to a minimum radius of five (5) feet. All cut or fill areas that will be visible from Ormonde and Old Oak Park Roads exceeding five (5) feet in vertical height above or below the existing ground surface shall meet the following standards:
 - a. Revegetation program must be designed and overseen by a landscape professional.
 - b. The goal of revegetation shall be to establish a permanent self-sustaining plant cover that will blend and be compatible with the surrounding environment.
 - c. Plant coverage shall be at least seventy-five percent (75%) within six (6) months after grading is complete.
 - d. If plant coverage does not meet the standard above, remedial action shall be taken until such time as the standard is met and maintained.
2. Prior to building permit issuance, all new development within the restriction areas (e.g. residences, detached garages, guest houses, sheds, access roads, and driveways) shall provide or demonstrate compliance with the following requirements:

- a. A landscape screening plan shall be prepared and implemented by the applicant. The plan shall provide for screening of all structures by native vegetation to be established for a minimum of three years. The landscaping shall screen a minimum of 50% when viewed from Ormonde and Old Oak Park Roads;
- b. The size and type of native plant material to be used for screening;
- c. Planting specifications for native plant material;
- d. Irrigation and maintenance for the native plant material;
- e. Erosion control measures for any disturbed areas, including areas disturbed by landscaping;
- f. Clearly delineate the height of new development above the existing natural ground surface on the project plans. New development shall not exceed 18 feet in height above the existing ground surface;
- g. Clearly delineate the location and visual treatment of water tanks on the project plans. All water tanks shall be located in the least visually prominent location feasible when viewed from Ormonde and Old Oak Park Roads. Screening with topographic features, existing vegetation or existing structures is encouraged. If the tank(s) cannot be screened, then the tank(s) shall be a neutral non-contrasting color, and landscape screening shall be provided,
- h. Submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys, etc. and darker green, gray, slate blue, or brown colors for the roof structures.
- i. **Landscape Plan Cost Estimate/ Bonding. Prior to issuance of grading and/or construction permits**, the Applicant shall obtain a cost estimate for the required landscape screening plan to determine the costs of landscape installation and/or landscape maintenance for 3 years. The Cost Estimate shall be prepared by a qualified individual familiar with estimating costs to install and maintain the required landscaping (e.g., landscape contractor, etc.). The Applicant will work with the County to determine an acceptable financial mechanism to establish a means to assure funding for installation and maintenance of the required landscape plan. The County will release its interest or obligation in the financial mechanism once the measure has been completed to the satisfaction of the County.
- j. **Landscape Performance & Monitoring: Prior to final inspection of grading and/or construction permits**, the approved landscape plan shall be implemented, and the applicant shall provide a letter to the San Luis Obispo County Department of Planning and Building for approval demonstrating that the applicant has entered into a contract with a qualified professional for the purpose of monitoring the success of the screen planting area. The monitoring contract shall include a requirement that the

monitor conduct at a minimum an annual site visit and assessment of the planting success for 3 years. At the end of the 3-year monitoring period, the monitoring report shall be submitted to the San Luis Obispo County Department of Planning and Building for approval and shall be used as a determining factor in assessing the successful establishment of the planting as it relates to the bond posted by the applicant. If it is determined that the success criteria have not been met, then the applicant shall submit a supplemental landscape screening plan with additional recommendations to achieve the required screening. The plan shall include additional monitoring requirements (as recommended by the landscape architect) to ensure the required screening is achieved.

Compliance: Compliance will be verified by the SLO County Dept of Planning and Building, in consultation with Public Works

AES-4 Exterior Colors & Material Palette. Prior to issuance of construction permits, the following measure shall be incorporated into the construction phase of the project and shown on all applicable plans:

To minimize visual impacts from the proposed development, exterior colors and materials shall be selected and applied to 1) *minimize the structure's massing, and 2) reduce the contrast between the proposed development and the surrounding environment.* Colors shall be compatible with the prominent natural colors of the surrounding environment, including vegetation, rock outcrops, etc. To achieve the goal of minimizing the mass and contrast between the proposed development, including but not limited to new structures and associated accessory improvements (i.e. water tanks, barns, etc.) and surrounding environment, the following selection can include and not limited to; darker, non-reflective, earth tone colors on walls or chimneys, darker green, grey, slate blue, or brown colors for roof elements and/or usage of darker color selections within chroma / value of 6 or less described in the Munsell Book of Color.

Prior to issuance of grading and/or construction permits, the Applicant shall provide architectural elevations and a color board showing all exterior colors and finish materials that match the above requirements. These shall also be specified on applicable construction/ improvement drawings for County review and approval. Once County review is complete, Applicant shall adhere to the approved colors and materials during construction.

AES-5 Exterior Light Plan. Prior to issuance of construction permits, the following measure shall be incorporated into the construction phase of the project and shown on all applicable plans:

The Applicant shall prepare an Exterior Lighting Plan to reduce nighttime lighting visual impacts. The Plan shall define the height, location, and intensity of all exterior lighting. All lighting fixtures shall be positioned "down and into" the development and shielded so that neither the lamp nor the related reflector interior surface is visible from surrounding properties, and from Old Oak Park Road. All lighting poles, fixtures, and hoods shall be dark colored. The Lighting Plan shall focus on keeping the lumen/light intensity level to the lowest possible

while still meeting minimum safety and security requirements. Up lighting of any types is not allowed in the development.

AES-4-AES 5

Compliance: Required at the time of construction permit application. Compliance will be verified by the SLO County Dept of Planning and Building

Air Quality

AQ-1 Fugitive Dust Construction Control Measures. The following measure shall be implemented **prior to, and during, construction activities associated with subdivision improvements** and shall be included on all applicable subdivision improvement plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Prior to the 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;
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 of these fugitive dust mitigation measures shall be shown on grading and building plans; and
6. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

AQ-2 ROG, NO_x, DPM Emissions. The following measure shall be implemented **during construction activities associated with subdivision improvements** and shall be included on all applicable subdivision improvement plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

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 all applicable grading and construction plans:

- a. Implement Mitigation Measure AQ-1.
- 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. 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.
- g. Electrify equipment when possible.
- h. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,
- i. 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

Compliance: Required during any ground disturbing activities. Compliance will be verified by Air Pollution Control District, in consultation with the County Dept of Planning and Building

Biological Resources

BIO-1 Environmental Awareness Training – The following measure shall be implemented **prior to the onset of construction activities associated with subdivision improvements and construction on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Prior to the onset of construction activities, an environmental awareness training shall be presented to all project personnel by a qualified biologist. The training shall include color photographs and a description of the ecology of all special-status species known or determined to have potential to occur (e.g., San Joaquin kit fox), as well as other sensitive resources requiring avoidance near project impact areas. The training shall also include a description of protection measures required by any discretionary permits, an overview of the federal Endangered Species Act (ESA), the California Endangered Species Act (CESA), and implications of noncompliance with these regulations. This will include an overview of the required avoidance and protection measures. A sign-in sheet with the name and signatures of the qualified biologist who presented the training and the names and signatures of the environmental awareness trainees will be kept and provided to the County. If new project personnel join the project after the initial training period, they will receive the environmental awareness training from the qualified biologist before beginning work.

Compliance: Compliance will be verified by SLO County Department of Planning and Building, in consultation with Public Works.

BIO-2 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Prior to issuance of grading or construction permits, the applicant shall engage a County-approved qualified biologist to conduct the monitoring and pre-construction surveys required by all relevant adopted mitigation measures associated with biological resources. The applicant shall submit a copy of the approved contract with the biological monitor to the Director prior to issuance of grading or construction permits. The contracted scope of work shall include performing pre-construction surveys prior to start of disturbance, followed by a confirmation of results via email to County Planning staff. The monitor shall provide monthly reports to the Department of Planning and Building and a summary report prior to final inspections or final release of improvements, grading or occupancy. The name and contact information of the contracted biological monitor shall be printed on the construction plans.

Compliance: Compliance will be verified by SLO County Department of Planning and Building, in consultation with Public Works.

BIO-3 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Other Agency Permits. The applicant understands that state or federal permits may be needed from one or more of the following resource agencies: California Department of Fish and Wildlife, U.S. Fish & Wildlife Service, Army Corps of Engineers, for construction activities including grading, road improvement, or maintenance work involving any riparian area or drainage feature. Where required, the Applicant shall obtain a Section 404 Nationwide Permit from USACE, a Section 401 Water Quality Certification from RWQCB, and a Section 1602 Streambed Alteration Agreement from CDFW to authorize project-related impacts in all areas potentially under the jurisdiction of these regulatory agencies and provide satisfactory evidence to the County, as follows:

- A. **Prior to the issuance of construction permits or the initiation of ground-disturbing activity**, the applicant shall provide to the County, for each of these resource agencies, that either a) evidence that a permit was not necessary, or b) a copy of the required permit(s). When such permits are required, the County shall review the permit(s) for consistency with County measures prior to issuance or start of construction. All applicable field requirements of the agency permit(s) shall be shown on applicable construction drawings and adhered to during construction.
- B. The following measures would apply where waters of the U.S. or waters of the State cannot be avoided:
 - 1) Based on final site designs, the applicant shall confirm with a qualified biologist or from the Corps that a Clean Water Act (CWA) Section 404 permit will not be required for activities within the Toad Creek riparian habitat. Assuming a Corps permit is not required, RWQCB compliance will need to occur via the Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction (Water Quality Order No. 2004-0004-DWQ).
 - 2) If the project design requires fill within waters of the U.S., the applicant shall obtain and implement all the terms and conditions of a Corps Nationwide Permit to the satisfaction of the Corps. Compliance with Corps regulatory permitting would also include obtaining and CWA 401 Water Quality Certification from the RWQCB that would satisfy approval of work in California waters of the State.
 - 3) The applicant shall also obtain Section 1600 regulatory compliance in the form of a Streambed Alteration Agreement from CDFW or a determination that no agreement would be required for impacts to the Toad creek riparian corridor.

4) Compensatory mitigation will likely be required to be implemented on-site at a minimum ratio of 3:1 to offset permanent impacts to jurisdictional riparian habitat (note resource agencies may require a higher ratio). A mitigation and monitoring plan shall be prepared by a biologist familiar with restoration and mitigation techniques as part of the permit application packages. The plan shall include, but not be limited to the following components:

- Description of the project/impact site
- Goal(s) of the compensatory mitigation project
- Description of the proposed compensatory mitigation-site
- Implementation plan for the compensatory mitigation-site
- Maintenance activities during the monitoring period
- Monitoring plan for the compensatory mitigation-site
- Success criteria and performance standards
- Reporting requirements
- Contingency measures and funding mechanisms
- Erosion control and landscaping specifications included in the mitigation plan shall allow only natural-fiber, biodegradable meshes and coir rolls, to prevent impacts to the environment and to prevent entrapment of wildlife.

In addition, the mitigation plan shall incorporate all of the recommendations of the Regional Water Quality Control Board set forth in the letter of August 10, 2021 from Terra Verde Environmental Consulting summarizing the results of the pre-filing meeting of April 21, 2021 regarding the updated Section 401 Certification Rule, including at least the following:

- Proof of compliance with Post Construction Requirements (PCR) or provide an explanation if the project is not subject to PCRs.
- Incorporation of a bioswale along the driveway to prevent point-discharge pollutants into the wetland areas.
- Alternative's analysis for the driveway crossing location that includes an assessment of an alternate access to the property or installation of an environmentally superior alternative crossing such as a soft bottom culvert, an arch culvert, and/or a free span bridge.
- Preparation of an addendum to the FWRMP that separates the riparian and wetland impacts as well as increases the performance criteria for enhancement areas to 50 percent cover of native species and at least three native species present at the end of the monitoring period.

Compliance: Compliance will be verified by SLO County Department of Planning and Building, in consultation with Public Works.

BIO-4 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Protection of State Waters and Wetlands. Prior to the issuance of construction permits or subdivision improvement work, a buffer of no less than 50 feet shall be mapped by a qualified biologist and drawn by a licensed surveyor or registered civil engineer. The buffer shall be shown on all applicable subdivision improvement plans. Project activity occurring within and/or within 50 feet of aquatic habitat (e.g., the riparian and wetland habitats identified in the BRA) shall occur only if appropriate authorizations have been issued and during the dry season (between June 1 and September 31). For short-term, temporary stabilization, an erosion and sedimentation plan control plan shall be developed outlining Best Management Practices (BMPs), which shall be implemented to prevent erosion and sedimentation into drainages and wetlands. Acceptable stabilization methods include the use of weed-free, natural fiber (i.e., non-monofilament) fiber rolls, jute or coir netting, and/or other industry standards. BMPs shall be installed and maintained for the duration of the project.

Compliance: Compliance will be verified by SLO County Department of Planning and Building, in consultation with Public Works.

BIO-5 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Special-status Botanical Species. The following specific measures are required to reduce the anticipated impacts to special status plant populations:

Prior to the start of construction, updated botanical surveys will be completed during the appropriate seasons (i.e., approximately April through July) unless construction activities will occur within 24 months of a previous appropriately timed botanical survey for all proposed disturbance areas. Surveys will include identification and mapping of the current extent of all special-status plant populations. To the extent feasible, ground disturbance shall avoid areas where special-status plant populations were mapped during 2020 surveys as shown in Figure A-1 and all subsequent surveys. In no case shall more than 10% of an on-site population be impacted based on the most recent appropriately timed survey.

Compliance: Compliance will be verified by SLO County Department of Planning and Building, in consultation with Public Works.

BIO-6 Open Space Easement. Prior to subdivision improvements, the applicant shall enter into an agreement with the County, in a form acceptable to County Counsel, to establish an Open Space Easement to protect existing populations of San Luis Obispo Owl's Clover (*Castilleja densiflora* ssp. *obispoensis*) as well as the wetland and riparian resources (identified in the July 7, 2020, Spring Botanical Survey- Updated Map- Biological Resources and Impacts Figure 3) associated with each parcel.

The San Luis Obispo owl's-clover plants which were detected by the Biologist (Althouse and Meade, Inc.) within the grassland habitat, as located along the northeasterly portion of Parcel 1 and southeasterly portion of Parcel 2, and as identified on the Updated Map from July 7, 2020, Spring Botanical Survey- Biological Resources and Impacts Figure 3, are to be excluded from the Open Space Easement and are assumed to be impacted and mitigated pursuant to BIO-6.f. below. Collected seed and salvaged topsoil from these two areas shall be redistributed within the Open Space Easement Areas located along the southern boundary of Parcel 1, where the population of the San Luis Obispo owl's-clover is notably larger and can be protected with a buffer.

The terms of the Open Space Easement shall include at least the following limitations:

- a. The area subject to the Open Space Easement shall be drawn by a licensed surveyor and shall be maintained in its current state subject to the limitations listed below.
 - i. The Updated Map from the July 7, 2020, Spring Botanical Survey- Biological Resources and Impacts Figure 3, shall be imbedded into the recorded Open Space Easement.
- b. Foot traffic, only, shall be allowed within the Open Space Easement throughout the calendar year;
- c. Fuel management is allowed and shall be the minimum required by Cal Fire /County Fire;
- d. Grazing may be allowed from September through February and shall be prohibited between March and August;
- e. Such other measures as deemed necessary by the Director to ensure the permanent preservation of areas currently occupied by San Luis Obispo Owl's Clover and wetland and riparian resources within the areas identified as such in the Open Space Easement.
- f. **Pre-construction survey for the San Luis Obispo owl's-clover plants & Restoration of Impacted Areas.**
 - If work is to occur between approximately June through August; a County-approved qualified biologist shall conduct a pre-construction survey for the San Luis Obispo owl's-clover plants at least one-week prior to the initiation of ground disturbing activities.
 - During the appropriate season (i.e., approximately June through August) prior to the start of construction, mature seed will be collected from individual plants that will be removed as a result of the proposed development. This seed will be temporarily stored in paper bags or envelopes in a cool, dry location. Collected seed will be spread in areas of suitable habitat on site that will not be disturbed as part of the proposed development. In particular, the seed should be used to enhance and expand upon existing population

patches that were mapped throughout the site. The top four to six inches of topsoil will be salvaged during initial grading and stored separately. Stored topsoil will be spread in temporary disturbance areas (e.g., road edges, and utility trench lines) following the completion of construction.

Compliance: Compliance will be verified by SLO County Department of Planning and Building.

BIO-7 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Pre-construction survey for American badger. A qualified biologist shall complete a pre-construction survey for badger no less than 14 days and no more than 30 days prior to the start of initial project activities to ensure badger is not present within all proposed work areas and a 200-foot buffer. If dens are discovered, they shall be inspected to determine if they are currently occupied. If active badger dens are found, an exclusion zone shall be established around the den. A minimum of a 50-foot exclusion zone shall be established during the non-breeding season (July 1 to January 31) and a minimum 100-foot exclusion zone during the breeding season (February 1 to June 30). Each exclusion zone shall be roughly circular in configuration with a radius of 50 feet (non-breeding season) or 100 feet (breeding season) measured outward from the burrow entrances. All foot and vehicle traffic, as well as all project activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, or it has been determined by a qualified biologist that the den is no longer in use. If avoidance is not possible during project construction or continued operation, the appropriate resource agency shall be contacted for further guidance. The results of the survey shall be provided to the County prior to initial project activities.

If a significant amount of time lapses between different phases of project activities (e.g., vegetation trimming and the start of grading), where no or minimal work activity occurs, the badger survey shall be updated. The amount of time necessary to trigger an updated survey will depend on the work location, habitat of the area to be disturbed, and season during which work is planned.

BIO-8 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the**

building restriction areas (e.g. residences, accessory structures, driveways, utilities, etc.):

Pre-construction Survey for Sensitive and Nesting Birds. If work is planned to occur between February 1 and September 15, a qualified biologist shall survey the area for nesting birds within one week prior to initial project activity, including ground disturbance and/or tree removal/trimming, beginning on site. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active. A 50-foot exclusion zone shall be placed around non-listed, passerine species, and a 250-foot exclusion zone will be implemented for raptor species. Each exclusion zone shall be roughly circular in configuration with a radius of 50 feet (non-listed passerine species) or 250 feet (raptor species) measured outward from the nest. All foot and vehicle traffic, as well as all project activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, or it has been determined by a qualified biologist that the young have fledged or that proposed project activities would not cause adverse impacts to the nest, adults, eggs, or young. If other special-status avian species (aside from the burrowing owl or tricolored blackbird [if identified in biological report]) are identified and nesting within the work area, no work will begin until an appropriate exclusion zone is determined in consultation with the local CDFW biologist, and/or the USFWS. The results of the survey shall be provided to the County prior to initial project activities. The results shall detail appropriate fencing or flagging of any needed exclusion zones and make recommendations on additional monitoring requirements. A map of the Project site and nest locations shall be included with the results. The qualified biologist conducting the nesting survey shall have the authority to reduce or increase the recommended exclusion zone depending upon site conditions and species (if non-listed).

If a significant amount of time lapses between different phases of project activities (e.g., vegetation trimming and the start of grading), where no or minimal work activity occurs, the nesting bird survey shall be updated. The amount of time necessary to trigger an updated survey will depend on the work location, habitat of the area to be disturbed, and season during which work is planned.

BIO-9 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Pre-construction survey for Special-status Reptiles. A qualified biologist shall conduct a pre-construction survey for California legless lizard immediately prior to initial project activities (i.e., the morning of the commencement of project activities) within 50 feet of suitable habitat. 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, vegetation removal including tree removal, etc.) within suitable habitat. If any special-status reptile species is discovered during surveys or monitoring, they will be allowed to leave on their own or will be hand-captured by a qualified biologist and relocated to suitable habitat outside the area of impact. If any additional ground- or vegetation-disturbing activities occur

on the project site, the above surveys and monitoring shall be repeated. A monitoring report summarizing results of the monitoring shall be submitted to the County Department of Planning and Building within one week of completing monitoring work for this species.

BIO-10 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

Roosting Bats Avoidance Measures and Preconstruction Survey. Site preparation, ground disturbance, and construction activities including any tree trimming and/or vegetation removal shall be conducted outside of the typical bat maternity roosting and pupping season (from February 1st to August 31st), if feasible. If site disturbance activities are to occur within this season, the applicant shall retain a County-qualified biologist to conduct a preconstruction survey within 14 days prior to commencement of proposed site disturbance activities. If any roosting bats are found during preconstruction surveys, no work activities shall occur within 100 feet of active roosts until bats have left the roosts. The County-qualified biologist shall prepare a report after each survey and a copy of the report shall be provided to the County within 14 days of completion of each survey. If no bat roosting activities are detected within the proposed work area, site disturbance and noise-producing construction activities may proceed, and no further mitigation is required.

BIO-7 to BIO-10

Compliance: Compliance will be verified by SLO County Department of Planning and Building and mitigation monitors.

Geology and Soils

GEO-1 The following measure shall be implemented **prior to the subdivision improvements and issuance of construction permits on individual lots**, and shall be included on all applicable subdivision improvement plans and construction plans. This measure shall also be included on an Additional Map Sheet to be approved by the County Department of Planning and Building and the Department of Public Works that shall be recorded with the final parcel map and **implemented at the time of new construction within the building restriction areas** (e.g. residences, accessory structures, driveways, utilities, etc.):

1. The applicant shall clearly delineate on the improvement plans that all cut and fill slopes are to be revegetated for erosion control and maintained in a viable condition thereafter. Grading plans are to be reviewed and approved by the Department of Planning and Building in consultation with the Environmental Coordinator.
2. At the time of application for building permits for each lot, the owner shall submit a soils report prepared by a California civil engineer. The soils report

shall address the criteria required for all building foundations and the foundations shall be designed by a California registered architect or engineer. If a qualified soils professional determines that a soils report is not required for the building site, they shall state this in a letter and assume responsibility for any building foundation designs. The County Department of Planning and Building may require a soils report even if a soils engineering company determines the location of the proposed structure would not require the information such a report would provide.

3. At the time of application for building permits for each lot, a percolation test prepared by a California registered civil engineer shall be required to determine the appropriate design for the septic system. If percolation rates exceed 30 minutes per inch then the entire sewage disposal system shall be designed by a California licensed civil engineer per Title 19 of the County Code.
4. At the time of application for building permits for subdivision improvements, the applicant shall clearly delineate the vertical height of all cut and all slopes on the project plans and the border of cut slopes and fills rounded off to a minimum radius of five (5) feet. All cut or fill areas that will be visible from Ormonde and Old Oak Park Roads exceeding five (5) feet in vertical height above or below the existing ground surface shall meet the following standards:
 - a. Revegetation program must be designed and overseen by a landscape professional.
 - b. The goal of revegetation shall be to establish a permanent self-sustaining plant cover that will blend and be compatible with the surrounding environment.
 - c. Plant coverage shall be at least seventy-five percent (75%) within six (6) months after grading is complete.
 - d. If plant coverage does not meet the standard above, remedial action shall be taken until such time as the standard is met and maintained.

Compliance: Compliance will be verified by SLO County Department of Planning and Building, in consultation with Public Works.

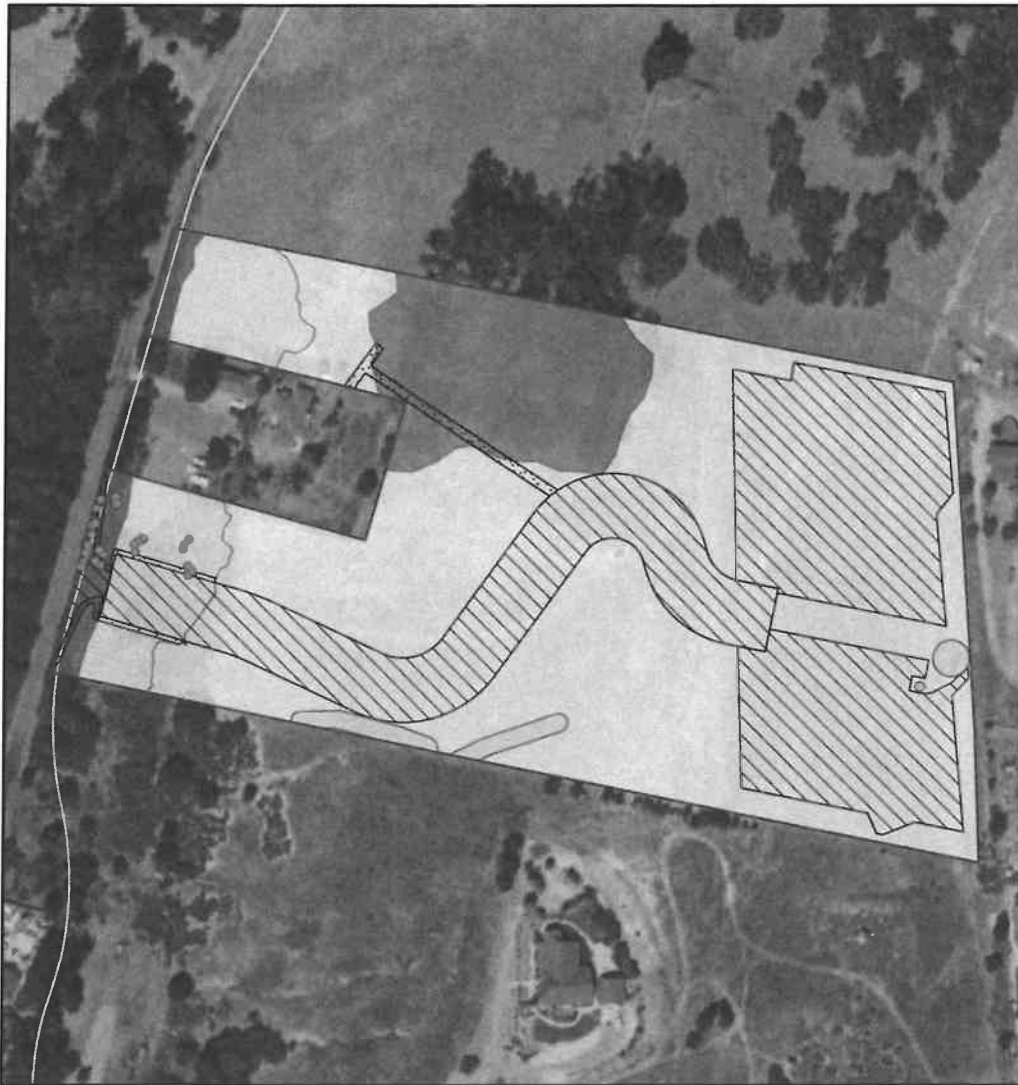
The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts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


Signature of Owner(s)











Brad Boulton
Name (Print)

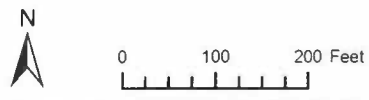
7/26/22
Date

July 7, 2020, Spring Botanical Survey- Updated Map- Biological Resources and Impacts Figure 3



Legend

- | | |
|---|--|
|  Study Area (10.01 acres) |  Riparian (0.2 acre) |
|  Permanent Impacts (3.47 acres) |  Wetland (0.9 acre) |
|  Temporary Impacts (0.12 acre) |  San Luis Obispo owl's-clover |
|  California Annual Grassland (7.7 acres) |  Drainage |
|  Blue Gum Eucalyptus (1.1 acres) |  Willows |



Crisp - Old Oak Park
 Map Center: 120.59405°W 35.16254°N
 Arroyo Grande, San Luis Obispo County

Imagery Source: USDA NAIP, 07/14/2018