



Notice of Exemption/General Rule Exemption

Project Title and No.: Vargas Major Grading Permit; GRAD2023-00110 ED24-158

Project Location (Specific address):
1255 Viva Way, Nipomo,
California, 93444 (APN 091-272-041)

Project Applicant/Phone No./Email:
Socorro Vargas / 805-714-3300 /
Cocoloco58@yahoo.com

Applicant Address (Street, City, State, Zip):
921 Lewis Road, Santa Maria, California, 93455

Description of Nature, Purpose, and Beneficiaries of Project:

A request for a Major Grading Permit (GRAD2023-00110) to allow for grading of pads and access for a Single Family Residence and Accessory Dwelling Unit and 545 linear feet of retaining walls. The proposed construction includes a 2,800 square-foot Single Family Residence, 462 square-foot attached garage, and a 325 square foot covered patio under building permit RBLD2023-00259. Additionally, the project includes a 1,072 square foot Accessory Dwelling Unit, 466 square foot attached garage and 8 square foot covered entry under building permit RBLD2023-00260. The proposed project will disturb approximately 0.47 acres of the 5 acre parcel, including 645-cubic-yards of cut and 645-cubic-yards of fill for a total of 1,290. The proposed parcel is within the Residential Rural land use category and is located at 1255 Viva Way, in the South County Sub-area of the South County Inland Planning Area.

Name of Public Agency Approving Project: County of San Luis Obispo

Exempt Status/Findings: This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption].

Reasons why project is exempt: The project includes grading to allow for grading of pads and access for a Single Family Residence and Accessory Dwelling Unit and 545 linear feet of retaining walls. The proposed construction includes a 2,800 square-foot Single Family Residence, 462 square-foot attached garage, and a 325 square foot covered patio under building permit RBLD2023-00259. Additionally, the project includes a 1,072 square foot Accessory Dwelling Unit, 466 square foot attached garage and 8 square foot covered entry under building permit RBLD2023-00260. within the Residential Rural land use category with access to an existing roadway network that is adequate to serve the project. The applicant has designed the grading and site improvements to minimize site disturbance, and the project has a relatively small area of disturbance of approximately 0.47 acres on the 5 acre site. The project area is located within the South County Sub area of the South County Planning Area and is subject to the applicable sub-area standards outlined in County Code Section 22.98.070. This project, as proposed, meets all applicable community standards for development. Additionally, the project is proposed to be placed in an area that is not categorized as prime farmland and will not convert prime farmland to a non-agricultural use.

The project area does not fall within San Joaquin Kit Fox habitat and, therefore, does not require related mitigation measures. The project will not result in the removal of any heritage oak trees. The applicant provided a Biological Resources Assessment (Biological Consulting, July 1, 2024). In the report the project biologist provided their findings across several site visits. Due to its significance in this region special attention was paid to the potential for Pismo Clarkia. The biologist did several seasonal surveys and concluded that and no individuals were observed and the species was unlikely to occur on the site due to a lack of suitable oak woodland or chaparral habitat onsite and the significant disturbance of the site as a pine plantation in the past. An individual Mesa Horkelia was identified and the project applicant has provided a 50 foot buffer around the known individual. In addition to this buffer, project disturbance will be another feet away from this buffered area. Therefore, the project will maintain compliance with local policies and ordinances protecting biological resources.

The project is not located near a stream or in an area with known archaeological resources; therefore, impacts to cultural resources are not anticipated. In the unlikely event resources are uncovered during grading activities, implementation of County Code Section 22.10.040 (Archaeological Resources) would be required, which states:

- A. Construction activities shall cease, and the Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
- B. In the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner shall be notified in addition to the Department so proper disposition may be accomplished.

Existing grading and drainage regulations will adequately address surface water quality impacts during construction and permanent use of the residence. The project will conform to the applicable General Plan and Area Plan standards, and no measures beyond basic avoidance measures or those required by County Code are necessary to address the environmental impacts associated with the proposed project.

Additional Information: Additional information pertaining to this notice of general rule exemption may be obtained by reviewing the second page of this document and by contacting the Environmental Coordinator, 976 Osos St., Rm 200, San Luis Obispo, CA 93408 (805) 781-5600.

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Pursuant to section 15061 of the State California Environmental Quality Act (CEQA) Guidelines, the preliminary review of a project includes a determination as to whether a project is exempt from CEQA. This checklist represents a summary of this project's review for exemption.

	<u>YES</u>	<u>NO</u>
1. Does this project fall within any exempt class as listed in sections 15301 through 15329 of the State CEQA Guidelines?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Is there a reasonable possibility that the project could have a significant effect on the environment due to unusual circumstances?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Is the project inconsistent with any Federal, State, or local law or administrative requirement relating to the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Will the project involve substantial public controversy regarding environmental issues?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Does the project have the potential to achieve short-term environmental goals to the disadvantage of achieving long-term environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Does the project have adverse impacts which are individually insignificant, but cumulatively significant? Cumulatively significant means that the incremental effects of an individual project are substantially adverse when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

On the basis of this initial evaluation, I find that the proposed project does not have the potential to cause a significant effect on the environment and is therefore exempt from CEQA.

Lead Agency Contact Person Lane Sutherland, Lsutherland@co.slo.ca.us, (805) 788-9470

Signature: *Lane Sutherland*

Date: October 17, 2024

If filed by applicant:

1. Attach certified document of exemption finding
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

On 10/17/2024 the project was approved by:

- Board of Supervisors Subdivision Review Board Other Chief Building Official
- Planning Commission Planning Dept Hearing Officer