

**DEVELOPER'S STATEMENT FOR  
IDLER PARCEL MAP  
N-SUB2024-00060 / ED25-0019**

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

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

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

## **EXHIBIT B - MITIGATION SUMMARY**

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

### **BIOLOGICAL RESOURCES**

#### **BIO-1 Project Design**

**Prior to submitting construction and/or grading plans**, consider avoiding disturbance to the aquatic feature and potential wildlife habitat (e.g. trees, barns, and stables).

#### **BIO-2 Work Timing**

**At the time of construction activities**, all work activities shall be completed during daylight hours (between sunrise and sunset) and outside of rain events.

#### **BIO-3 Work Limits**

**Prior to any ground disturbance activities and after permit issuance**, any proposed impact footprint 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.

#### **BIO-4 Vehicles and Equipment**

**At the time of construction activities**, 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.

#### **BIO-5 Vehicles and Equipment Manager**

**Prior to issuance of construction and/or grading permit,** the applicant shall provide the contact information for the person on-site who will perform checks and maintenance as required by mitigation measure BIO-4.

**BIO-1 through BIO-5 Monitoring:** The applicant shall ensure all activities are consistent with the mitigation measures noted above. Where required, a contact person responsible for ensuring these requirements are met on site shall be provided to the Department of Planning and Building.

#### **BIO-6 Pre-Activity Nesting Bird/Raptor Survey Retainer**

**Prior to issuance of construction and/or grading permits,** the applicant shall provide written verification to the Department of Planning and Building (project planner) indicating that they have retained a qualified biologist to complete the necessary nesting birds pre-activity survey. If initial vegetation removal and/or ground disturbance is scheduled outside of the nesting bird season, the applicant shall provide written verification to the project planner at least 1 week prior to permit issuance, to verify the scheduled start date and verify that no nesting bird survey will be required.

#### **BIO-7 Pre-Activity Nesting Bird/Raptor Survey**

**Prior to ground disturbance activities,** if vegetation removal and/or ground disturbance (e.g., grading, grubbing, etc.) is scheduled between February 1 and August 31 (general nesting bird season), nesting bird/raptor surveys shall be completed by a qualified biologist within 48 hours prior to start of work. If any active nests are discovered within or adjacent to work limits, an appropriate buffer (i.e., 500 feet for raptors and 250 feet for other birds, or at the discretion of a qualified biologist based on biological or ecological reasons) shall be established to protect the nest until a qualified biologist has determined that the nest is no longer active and/or the young have fledged. Immediately following the survey, the biologist shall provide the project planner with verification that the necessary survey took place, describing any discretionary actions taken. The applicant shall then contact the project planner and verify the start of work will begin within 48 hours of the survey completion. No work shall begin until the project planner has certified that the necessary study has been completed, and the biologist states that work can begin within 48 hours following the survey completion. If work is to begin outside of the nesting bird season, verification from the project planner that no survey will be required is still mandatory prior to the start of work.

**BIO-6 & BIO-7 Monitoring:** Department of Planning and Building shall verify compliance with the Pre-activity Nesting Bird/Raptor survey requirements in consultation with the Environmental Coordinator and project biologist.

#### **BIO-8 Pre-Construction Wildlife Surveys Retainer**

**Prior to issuance of construction and/or grading permits,** the applicant shall provide written verification to the project planner indicating that they have retained a qualified biologist to complete the necessary pre-construction wildlife surveys.

## **BIO-9 Pre-Construction Wildlife Surveys**

**Prior to ground disturbance activities**, within 14 days prior to initial ground disturbance, a qualified biologist shall conduct a pre-construction survey to search for Atascadero June beetle, Crotch's bumble bee, western bumble bee, foothill yellow-legged frog, California red-legged frog, coast range newt, western pond turtle, burrowing owl, native nesting birds, American badger, pallid bat, western mastiff bat, and Townsend's big-eared bat within the proposed disturbance area. Any dens or burrows with sign and/or of suitable size for burrowing owl or badger that are identified during this survey shall be avoided by a minimum of 50 feet and tracked with trail cameras for a minimum of four nights to determine occupancy. Burrows shall not be disturbed unless inactivity is confirmed with trail camera monitoring. The survey should also be timed to correspond with the peak colony active period for Crotch's bumblebee and western bumblebee (April through August) to provide the highest detection probability for these species. If any of these species are observed, they shall be allowed to move on their own volition. Prior to any ground disturbance activities the applicant shall provide written documentation from the project biologist to the project planner indicating that the necessary survey has been conducted, outlining their findings and any recommendations.

**BIO-8 & BIO-9 Monitoring:** Department of Planning and Building shall verify compliance with the Pre-construction Wildlife survey requirements in consultation with the Environmental Coordinator and project biologist.

## **BIO-10 Biological Monitoring**

**Prior to ground disturbance activities and after completion of pre-activity surveys (as applicable)**, Implementation of this measure is recommended only if special- status species are observed during the pre-activity survey. Biological monitoring shall be completed by a qualified biologist for all initial ground disturbance (e.g., grading/excavation activities). For this task, the biologist shall survey/clear undisturbed work areas prior to start of work and then monitor the area while initial grading activities are being completed. Any common wildlife observed during monitoring shall be allowed to move out of work limits of their own volition or shall be captured and relocated to nearby suitable habitat by the qualified biologist. If a special-status species is observed, including California red-legged frog, work will stop, and the animal shall also be allowed to move out on its own. If handling is necessary to avoid harm, it will be conducted in compliance with state and federal Endangered Species Act regulations. Should this condition be utilized, the project biologist shall provide a written account of any special status species identified during the pre-construction surveys and their proposed monitoring plan to the project planner prior to the start of work.

**BIO-10 Monitoring:** Department of Planning and Building shall verify findings associated with the Pre-construction Wildlife and pre-activity bird/raptor survey requirements in consultation with the Environmental Coordinator and project biologist. In the case of significant findings during said surveys, the applicant shall coordinate with the project biologist and the project planner to ensure a proper monitoring plan is submitted to the Department of Planning and Building for review and approval prior to the start of work.

## BIO-11 Aquatic Resources

**Prior to ground disturbance activities**, if future project design cannot avoid disturbance of the swale or an appropriate setback distance, a RWQCB Section 401 Water Quality Certificate and a CDFW Section 1602 Streambed Alteration Agreement would need to be obtained prior to disturbance. The swale and the Davenport Creek riparian corridor are aquatic resources that are protected under federal, state, and local regulations.

**BIO-11 Monitoring:** Department of Planning and Building shall verify that the applicant has obtained the proper permits prior to the start of work, or verify that the regulating agency has elected to waive the requirements and stated such in writing to the applicant.

## BIO-12 Native Tree Protection

**Prior to issuance of construction and/or grading permits**, the applicant shall clearly show all oak trees within 50 feet of grading activities on the grading plans. In addition to showing the limits of grading, the grading plans shall also designate which oak trees are to be removed and which oak trees will be impacted by grading activities occurring within the root zone (one and one half times the dripline). Oak trees within 50 feet of grading activities, which are not designated for removal, shall be fenced and flagged for protection prior to permit issuance. Fencing shall be clearly shown on the grading plans to be located at the root zone for trees not designated for removal. For impacted trees, where grading activities will occur within the root zone, fencing may be placed at the limits of grading activities.

- A. The applicant shall prepare a tree protection map and plan with accurate and complete tree locations, tag numbers, Critical Root Zones, edge of canopy, and tree protection measures. The project engineers shall work with the biological consultants to develop a tree protection plan sheet that indicates all tagged trees, with corresponding tag numbers, edge of canopy and CRZ's within 50 feet of disturbance. Tree protection measures such as construction fencing shall be shown on the map. All trees that are to be fully protected shall be clearly shown on the grading and drainage plans.
- B. Any tree removal associated with CDF/County Fire vegetative clearance/modification requirements shall also be considered on the plans.

## BIO-13 Tree Replacement and Monitoring Plan

**Prior to issuance of construction and/or grading permits**, the applicant shall provide a tree replacement plan for review and approval by the Environmental Coordinator. The replacement plan shall demonstrate compliance with the following measures:

- A. Number of Trees – The tree replacement plan shall provide for the replacement, in kind, of removed oak trees at a 4:1 ratio. Additionally, the tree replacement plan shall provide for the planting, in kind, at a 2:1 ratio for oak trees designated for impact but not removal.

- i. An environmental monitor shall keep the running tally of the total number of trees impacted and removed as in the example below. A final mitigation obligation determination shall be provided to the Project Manager and the County Planning Department.

Example Table:

Tree Type	#Removed (4:1 replacement)	#Impacted (2:1 replacement)	Replacement Total Required
3 Oak trees (2 Coast Live Oaks; 1 Interior Live Oak)	3 (12)		
6 Oak trees (3 Coast Live Oaks; 2 Interior Live Oaks; 1 Blue Oak)		6 (12)	
			24

- B. Location/Density – The location shall be clearly shown on the plans. Trees shall be planted at no greater a density than the average density in the existing oak woodland area on the site. Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).
- C. Species – Trees shall be of the same species of the trees proposed for impact or removal. The species shall be clearly specified on the plans.
- D. Size – Replacement oak trees shall be from either vertical tubes or deep, one-gallon container sizes.
- E. Planting – Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.
- F. Maintenance – Newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding of at least a three foot radius out from the planting, and adequate watering (e.g., drip-irrigation system). Hand removal of weeds shall be kept up on a regular basis at least once in late spring (April) and once in early winter (December).
- G. Irrigation/Watering – Irrigation details shall be clearly shown on the plans. Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period.

#### **BIO-14 Tree Replacement and Monitoring Plan**

As applicable, once trees have been planted, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating how and when the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building.

#### **BIO-15 Tree Replacement and Monitoring Plan**

**Prior to final inspections or occupancy, whichever occurs first**, replacement trees shall be installed or bonded for in compliance with the approved tree replacement plan. If bonded for, installation shall be completed within 60 days of bonding.

#### **BIO-16 Tree Replacement and Monitoring Plan**

To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than three years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

#### **BIO-17 Tree Replacement and Monitoring Plan**

All oak trees identified to remain shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).

#### **BIO-18 Tree Replacement and Monitoring Plan**

Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within the fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

**BIO-12 through BIO-18 Monitoring:** Department of Planning and Building shall verify compliance with (BIO-12 through BIO-18) in consultation with the Environmental Coordinator.

## **AIR QUALITY RESOURCES**

### **AQ-1 Naturally Occurring Asbestos on Site**

**Prior to issuance of construction and/or grading permits**, because the project site is in a candidate area for NOA, a geologic evaluation must be conducted by a registered geologist to determine if the area disturbed is or is not exempt from the CARB Asbestos Air Toxics Control Measure (NOA ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (Title 17 CCR Section 93105) regulation. The geologic evaluation must be submitted to the APCD Engineering Division prior to any grading activities at the site, with the following documents:

- For grading project qualifying for NOA ATCM exemption:
  - Submit a completed APCD NOA Exemption Form with the geologic evaluation.
- For grading projects in serpentine rock less than 1 acre:
  - Submit a completed APCD Project Form with the geologic evaluation; and
  - Mini Dust Control Measures (93105.e.(A-F) as a condition of approval.
- For grading projects in serpentine rock greater than 1 acre:
  - Submit a completed Project Form with the geologic evaluation; and
  - An Asbestos Dust Mitigation Plan as a condition of approval.

When submitting the Project or Exemption Form, please fill in all applicable contact information.

### **AQ-2 APCD Confirmation Letter**

**Prior to issuance of construction and/or grading permits**, the applicant shall provide a letter of verification from the County of San Luis Obispo Air Pollution Control District to the Department of Planning and Building (project planner), indicating that measure AQ-1 has been satisfied and the permit is ready for issuance.

**AQ-1 & AQ-2 Monitoring:** Department of Planning and Building shall verify compliance (AQ-1 & AQ-2) in consultation with the Environmental Coordinator.

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.

*Don Idler*

\_\_\_\_\_  
Signature of Agent(s)/Owner

03/28/2025

\_\_\_\_\_  
Date

Don Idler

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Name (Print)