

**DEVELOPER'S STATEMENT
DRC2021-00020 (ED22-099)
PACIFIC WILDLIFE CENTER**

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

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

AIR QUALITY

AQ-1 **Upon application for construction and/or encroachment permits**, all required PM₁₀ measures shall be shown on applicable grading or construction plans and made applicable during grading and construction activities, as described below.

- a. Reduce the amount of the disturbed area where possible;
- a. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the San Luis Obispo County Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period shall be implemented. Increased watering frequency shall be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water shall be used whenever possible;
- b. All dirt stock pile areas shall be sprayed daily or covered with tarps or other dust barriers, as needed;
- c. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil-disturbing activities;
- d. Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;

- e. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the San Luis Obispo County Air Pollution Control District;
- f. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- g. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site;
- h. All trucks hauling dirt, sand, soil, or other loose materials shall be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;
- i. Installation of wheel washers or other devices to control tracking of mud and dirt onto adjacent roadways where vehicles enter and exit unpaved roads onto streets shall be implemented, or trucks and equipment shall be washed prior to leaving the site;
- j. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- k. 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 the San Luis Obispo County Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period, and to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the San Luis Obispo County Air Pollution Control District Engineering & Compliance Division prior to the start of any grading, earthwork, or demolition.

AQ-2

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:

Construction Equipment

- a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
- b. Fuel all off-road and portable diesel-powered equipment with California Air Resources Board-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- c. Use diesel construction equipment meeting the California Air Resources Board's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
- d. Use on-road heavy-duty trucks that meet the California Air Resources Board's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive or oxides of nitrogen exempt area fleets) may be eligible by proving alternative compliance;
- f. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;
- g. Diesel idling shall be avoided to the greatest extent feasible throughout the duration of construction activities. No idling in excess of 5 minutes shall be permitted as described above;
- h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors whenever possible;
- i. Electrify equipment when feasible;
- j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.

Monitoring: Required at the time of application for construction permits. Compliance will be verified by the Air Pollution Control District and County Department of Planning and Building.

BIOLOGICAL RESOURCES

BIO-1 If ground or vegetation disturbing activities commence between February 1 and September 15, preconstruction nesting bird surveys shall be conducted within one week (7 days) of starting work. **Prior to issuance of construction permits**, the applicant shall demonstrate to the County Department of Planning and Building that a qualified biologist has been retained to conduct nesting bird surveys. **Within one week prior to any site preparation, ground-disturbance, and related construction activities**, a qualified biologist shall conduct a nesting bird survey and verify that migratory birds are not nesting in the site.

Surveys shall cover the entire work area plus a 100-foot buffer for non-raptor, common bird species (refer to BIO-2 below for raptor surveys). If surveys do not locate nesting birds, construction activities may commence. If an active bird nest (a nest with eggs or young) is located, a protective buffer shall be established by a qualified biologist. The buffer shall consist of a 50-foot radius, no work area around the nest until the chicks have fledged and are no longer dependent on the nest. The qualified biologist may increase or decrease the buffer on a case-by-case basis in consultation with the County, if the species, location, topography, or work scope support the determination. A preconstruction survey report shall be submitted to the County **immediately upon completion of the survey, and prior to start of work**. The report shall detail appropriate fencing or flagging of buffer zones if applicable. A map of the project site and nest locations shall be included with the report. If nesting activity is detected, the project shall be modified via the use of protective buffers, delaying construction activities, and other methods designated by the qualified biologist to avoid direct take of identified nests, eggs, and/or young protected under the MBTA and/or California Fish and Game Code.

The qualified biologist shall document any active nests and submit a letter report to the County Department of Planning and Building documenting compliance with this measure, **within 30-days of survey completion**.

BIO-2 If ground or vegetation disturbing activities commence between February 1 and September 15, preconstruction nesting raptor surveys shall be conducted **within one week (7 days) of starting work**. Raptor surveys shall be conducted on the project site and shall include a 500-foot survey buffer. Active raptor nests shall be protected by a 300-foot buffer. If work is proposed within the buffer, a qualified biologist shall prepare a nest monitoring plan to be approved by the County **prior to start of work**.

BIO-3 Occupied nests of special status bird species that are within 100 feet of project work areas shall be monitored **at least every two weeks** through the nesting season to document nest success and check for project compliance with buffer zones. Once nests are deemed inactive and/or chicks

have fledged and are no longer dependent on the nest, work may commence in these areas.

The qualified biologist shall document any active nests and submit a letter report to the County Department of Planning and Building documenting compliance with this measure, **within 30-days of survey completion.**

Monitoring: Required during grading and construction activities. Compliance will be verified by the County Department of Planning and Building.

TRANSPORTATION

TR-1 **At the time of application for construction for Phase 1**, the applicant shall submit project plans by a Registered Civil Engineer that show the following improvements:

- a. The project driveway shall comply with County's Standard Drawing No. A-5a (Stopping Sight Distance) and A-5b (Sight Distance Clear Zones).
- a. The project driveway improvements on Buckley Road shall be constructed according to County Standard Drawing No. B-1e (Rural Driveway), including deceleration and acceleration tapers.
- b. The project frontage improvements on Buckley Road shall be constructed according to County Standard Drawing No. A-1e (Rural Road Section > 6,000 Future ADT).
- c. The project shall install "T" intersection ahead signs (W2-4) on Buckley Road west of the project site and east of Esperanza Lane.
- d. Provide Class II bike lane improvements along the Buckley Road project frontage as required by the County (to be striped within the shoulder).

TR-2 The Applicant shall coordinate with the City and ensure its frontage improvements conform to the Buckley Road widening planned as part of the Avila Ranch development, including Class II Bikeway improvements to be striped within the shoulder.

TR-3 The Applicant shall pay the applicable County SR 227 Traffic Mitigation Fee and City of San Luis Obispo's TIFF

Monitoring: Compliance will be verified by the County Department of Public Works, in consultation with the City of San Luis Obispo and County Department of Planning and Building.

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)

7/13/2022
Date

CHRISTINE JOHNSON

EXECUTIVE DIRECTOR, PACIFIC WILDLIFE CARE

Name (Print)