TO: **James L. App, City Manager**

FROM: **Doug Monn, Public Works Director**

SUBJECT: **Wastewater Treatment Plant Upgrade**

DATE: **May 18, 2010**

NEED: For the City Council to consider approving and adopting a Mitigated Negative Declaration for the proposed Wastewater Treatment Plant Upgrade.

FACTS:

1. The City hired Black & Veatch in 2008 to plan and design a wastewater treatment plant upgrade to comply with water quality regulations. Design of the Wastewater Treatment Plant Upgrade will be complete in January 2011.

2. The Wastewater Treatment Plant Upgrade is subject to the California Environmental Quality Act (CEQA).

3. The City hired Morro Group in 2008 to study the project's environmental impact and prepare documentation necessary to comply with CEQA.

4. The attached Initial Study/Mitigated Negative Declaration (IS/MND) was circulated to various agencies. The IS/MND describes the project's potential environmental impacts and measures to mitigate those impacts. The required public comment period began April 4, 2010, and ended May 4, 2010.

5. Monterey County Water Resources Agency (MCWRA) submitted the attached comment letter. No other agencies or persons submitted comments.

6. MCWRA diverts surface water from the Salinas River near Castroville, between April and October each year. MCWRA requests the diversion facility operator be notified within 8 hours if the wastewater treatment plant exceeds the City's discharge requirements at any time. City staff is willing to notify the diversion facility operator of any sewage spill that reaches the Salinas River, however is not proposing additional mitigation measures in response to this request. The City's wastewater discharge to the Salinas River is regulated by the Central Coast Regional Water Quality Control Board (Water Board). The Water Board is currently revising the City's discharge permit, including its monitoring and reporting program. Staff forwarded MCWRA's request to Water Board staff for their consideration.

ANALYSIS & CONCLUSION: The IS/MND concludes the Wastewater Treatment Plant Upgrade will not have any significant impacts on the environment if the project includes measures that:

- Minimize air, noise, and light pollution;
- Control dust;
- Prevent erosion;
- Protect wildlife;
- Revegetate disturbed natural areas;

- Protect and replace oak trees; and
- Monitor for cultural resources.

The City commits to these mitigation measures by approving and adopting the Mitigated Negative Declaration.

The IS/MND meets the State's "CEQA-Plus" requirements. Approval and adoption of the Mitigated Negative Declaration will facilitate low-interest financing through the State's Clean Water Revolving Fund Loan Program.

POLICY REFERENCE: California Environmental Quality Act, Water Board Discharge Permit, and Integrated Water Resources Plan.

FISCAL IMPACT: The mitigation measures contained in the Mitigated Negative Declaration will be incorporated into the final design and construction documents. The mitigation measures are typical for a project of this size and should not significantly increase project costs.

OPTIONS:

a. Adopt Resolution No. 10-xx approving and adopting the Mitigated Negative Declaration for the proposed Wastewater Treatment Plant Upgrade, making certain findings, incorporating the recommended mitigation measures into the project, and directing the City Clerk to file a Notice of Determination with the Clerk of San Luis Obispo County.

b. Amend, modify, or reject the above option.

Attachments:

1. Initial Study/Mitigated Negative Declaration
2. Comment letter from Monterey County Water Resources Agency dated May 3, 2010
3. Resolution No. 10-XX
4. Proof of publication of newspaper notice of public hearing

Prepared by: Matt Thompson, PE, Wastewater Manager

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PUBLIC REVIEW DRAFT
INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

PASO ROBLES WASTEWATER TREATMENT PLANT UPGRADE

Lead Agency:

City of El Paso de Robles

Environmental Consultant:

SWCA Environmental Consultants
1422 Monterey Street Suite C200
San Luis Obispo, CA 93401

February 2010

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ENVIRONMENTAL INITIAL STUDY CHECKLIST
CITY OF PASO ROBLES

I. INITIAL STUDY CHECKLIST COVERPAGE

PROJECT TITLE:	**Wastewater Treatment Plant Upgrade**
Concurrent Entitlements:	Regional Water Quality Control Board Discharge Permit
LEAD AGENCY:	City of Paso Robles 1000 Spring Street Paso Robles, CA 93446
Contact: **Phone:** **Email:**	Susan DeCarli, City Planner (805) 237-3970 sdecarli@prcity.com
PROJECT LOCATION: (refer to Figures 1 and 2)	3200 Sulphur Springs Road, Paso Robles
PROJECT PROPONENT:	**City of Paso Robles**
Contact Person: **Phone:** **Email:**	**Matt Thompson, Wastewater Resources Manager** **(805) 227-7200 x7716** **mthompson@prcity.com**
GENERAL PLAN DESIGNATION:	**Public Facility/Salinas River Overlay (refer to Figure 3)**
ZONING:	**Commercial/Light Industrial (refer to Figure 4)**

II. PROJECT DESCRIPTION

The City of Paso Robles proposes to upgrade the existing wastewater treatment facility, as described in detail below (refer to Figure 5).

A. Project Objectives

The City of Paso Robles (City) owns, maintains, and operates a 4.9 million gallons per day (mgd) secondary wastewater treatment plant (WWTP) permitted under Waste Discharge Requirements Order No. R3-2004-0031 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0047953. The WWTP is located at 3200 Sulphur Springs Road in Paso Robles. Current flows treated at the plant average 3 mgd.

The WWTP was built in 1954. Although it was upgraded and expanded in 1972, 1987 and 2002, it uses the same technology as when it was put into operation 55 years ago. The WWTP is not capable of consistently complying with current discharge requirements. Moreover, the City's discharge permit is scheduled to be revised in late 2009 with even more stringent discharge quality requirements. The Central Coast Regional Water Quality Control Board (Water Board) has threatened severe enforcement action if the City does not improve its discharge quality.

The City included the WWTP upgrade in its recent capital improvement program. The purpose of the WWTP upgrade project is to bring the plant into compliance with current and anticipated discharge regulations. In addition to regulatory compliance, the WWTP upgrade project will support the City's Integrated Water Resources Plan (IWRP) and help achieve the City's adopted water resources goals. The upgrades will not increase the capacity of the WWTP.

One of the City's Adopted Goals for 2008-2011 is to conserve energy resources. The specific objectives of this goal are to implement the IWRP, investigate alternatives to generate electricity, implement green building standards, and encourage energy efficiency.

The WWTP upgrade project provides opportunities for the City to achieve these objectives. The opportunities will include generating electricity with biogas and/or solar power, incorporating "green" building features in the proposed operations building, and using energy efficient equipment. Furthermore, the high quality treated effluent to be produced by the WWTP, following the upgrade, will likely be suitable for irrigation and other uses and thus become an integral element in the City's future water supply. The project will also include equipment and facilities needed for receiving septage and fats, oil and grease (FOG). These substances currently, can only be dumped in Bakersfield and Santa Maria. Septage and FOG facilities will significantly reduce truck trips for disposal of these materials originating in San Luis Obispo County, and thereby reduce vehicle emissions from the truck trips.

B. Existing Facilities

The WWTP is located on the northern end of Paso Robles, between Highway 101 to the west and the Salinas River to the east (refer to Figure 2). The WWTP was first built around 1954. Around 1972, the plant was expanded and upgraded with additional clarifiers and rock trickling filters. In the mid 1980's, the plant was expanded to add additional trickling filter and clarifier

capacity. The chlorination facilities were also added to the plant at about this time. With the exception of the sludge processing equipment that was added a few years ago, most of the current plant facilities are 22 to 55 years old. The lab facilities are located in cramped quarters and the operations offices are located in a temporary building.

The plant discharges into the Salinas River. Since 2004, the plant has been under a new permit with more restrictive discharge regulations, particularly for copper, selenium, bis-phthalate, trihalomethanes, and ammonia toxicity. The existing technology cannot consistently meet discharge requirements. In addition, the discharge permit is scheduled to be renewed again by the Water Board in fall 2010. The City expects the Water Board to establish a new effluent limit for total nitrogen. The existing treatment plant was not designed to remove nitrogen.

The existing facilities cover approximately 52 acres. The WWTP process includes influent screening, aerated grit removal, primary sedimentation, two-stage trickling filters, secondary clarification, and disinfection. The disinfected effluent flows into a series of six polishing ponds adjacent to the Salinas River. The third and sixth ponds discharge to the river. Outfall "B" is located at the north end of Pond 6 and Outfall "C" is located at the northeast corner of Pond 3. Anaerobic sludge digestion is used to treat solids collected from the various liquid processes. Digested sludge undergoes dewatering via a belt filter press and sludge drying beds. Dried sludge is periodically hauled to the City-owned landfill at 9000 Highway 46 East, 9.3 miles from the WWTP. Dried sludge is used as daily cover of solid waste.

The design capacity of the WWTP is 4.9 mgd. Current flow is 61% of design capacity. The condition of structures at the WWTP that are less than 30 years old is satisfactory. Most mechanical equipment is in poor condition. The existing influent screens are beyond their useful life. The grit removal mechanism was close to failing and was recently replaced. The primary clarifiers are generally in good condition. The two secondary trickling filters were initially installed in 1954 and 1972 and are beyond their useful life. Excessive solids pass into the chlorine disinfection process, which affects disinfection. The anaerobic digestion facilities are all in good condition. The belt filter press operates well, and the capacity of the press exceeds the current solids generation rate.

C. Proposed Facilities

The treatment plant will be upgraded to an advanced secondary treatment process in the near term to meet Salinas River discharge requirements, but be set up to add tertiary treatment facilities to produce recycled water in the long term. Advanced secondary treatment means treatment that meets federal secondary treatment standards for biochemical oxygen demand, total suspended solids, and pH, plus nutrient removal. The advanced secondary treatment process will include new headworks (including grit removal), a rehabilitated primary clarification process, an activated sludge process (biological nutrient removal) with new secondary clarifiers, chloramination, and dechlorination. Treated wastewater will flow into an effluent polishing channel constructed in the area that is currently Pond No. 3. The channel will allow treated wastewater to cascade down to the river, thus oxidizing and volatilizing any residual pollutants that may be present in the treated wastewater. The channel will mimic a creek and fan out near the river, delivering the wastewater by diffuse laminar flow at or near the existing location of Outfall "C". Ancillary facilities will include a cogeneration system to produce electric power

and heat from biogas, a new standby power generation system, an approximately 6,000 square foot laboratory and operations building, and an approximately 4,000 square foot pole barn for storage of collection system maintenance equipment. The 4.9 mgd capacity of the upgraded treatment plant is based on the City's General Plan, which projects a population of 44,000 by 2025.

Tertiary treatment facilities will be added in approximately 2022. Tertiary facilities will likely include a filtration process and a new chlorine contact chamber.

Existing Pond No. 3 will be converted into the effluent polishing channel described above. The other five ponds will be used for stormwater retention, but will no longer be part of the wastewater treatment process, so they will be dry for the majority of the year. The upgraded plant will have plumbing to temporarily bypass treated wastewater into Ponds 4, 5, and 6 to facilitate maintenance of the effluent polishing channel. If necessary, wastewater discharged into these ponds would discharge to the river through the existing outfall at the north end of Pond 6.

In the future, these ponds may be converted to recycled water storage. In no case would chlorinated wastewater be discharged to the river.

D. Schedule

Construction of the upgrade will commence in approximately March 2011 and extend 27 to 30 months. Construction would be completed by approximately September 2013.

Figure 1. Project Vicinity Map

Figure 2. Project Location Map

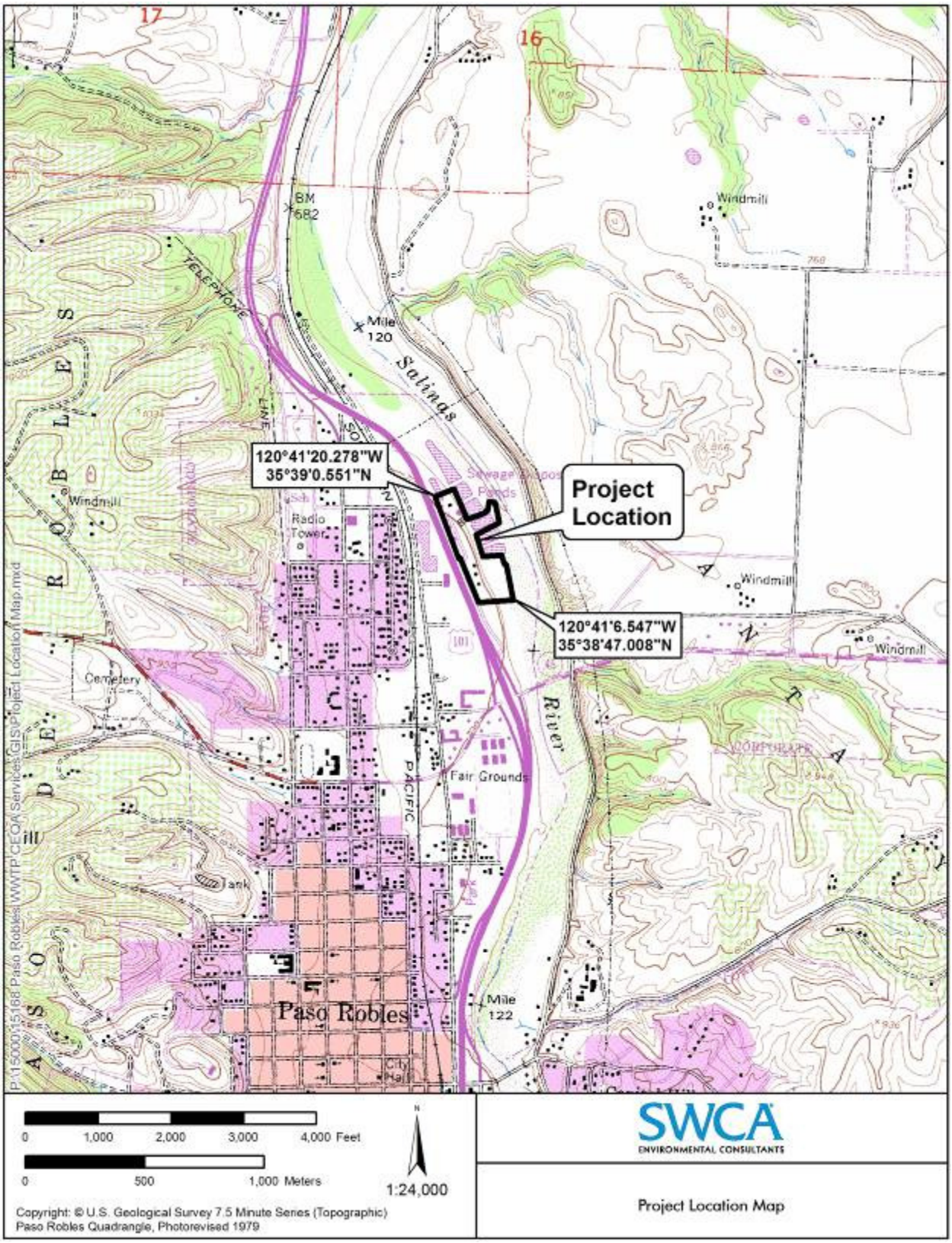

Figure 3. Land Use Category Map

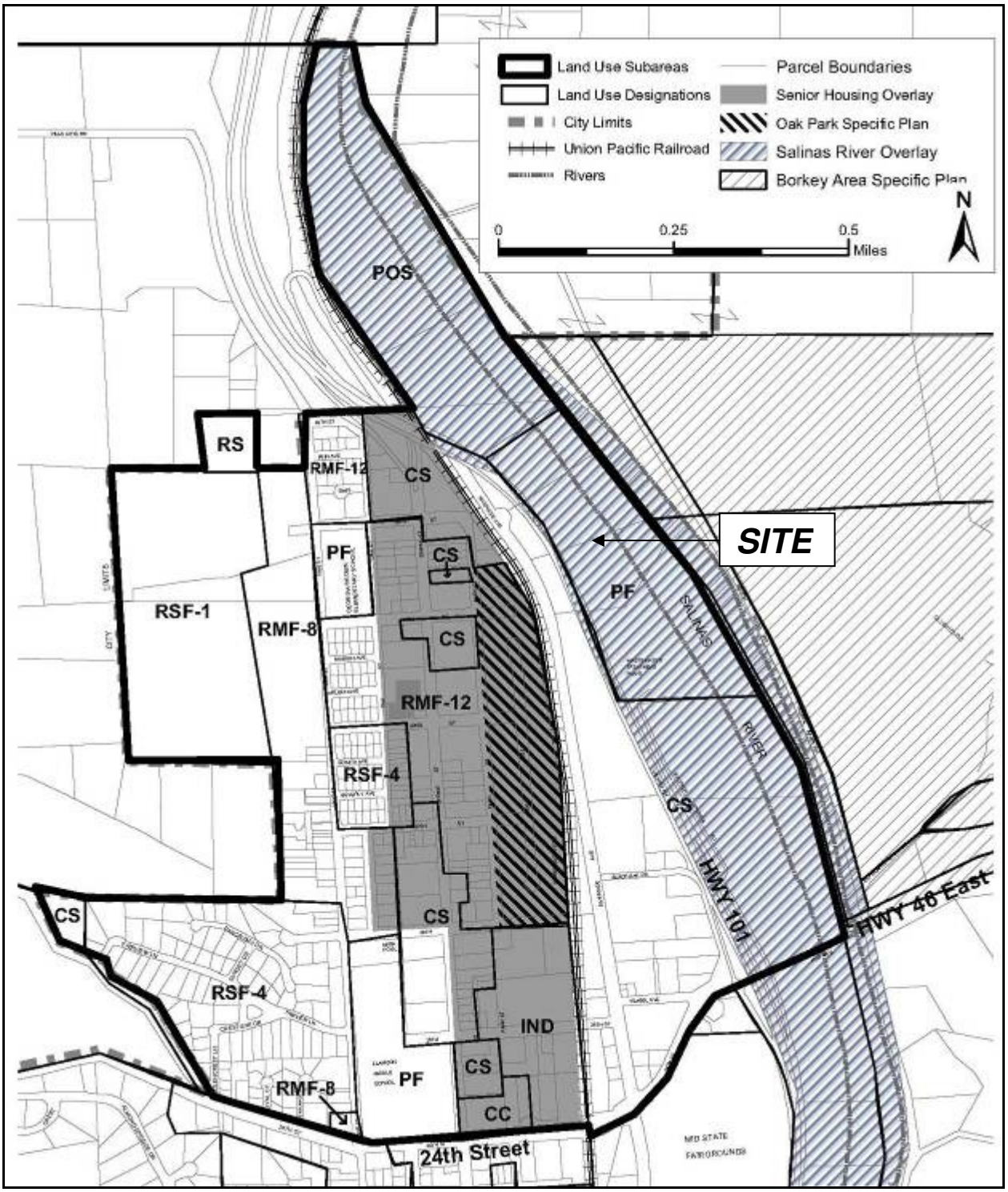

Figure 4. Zoning Map

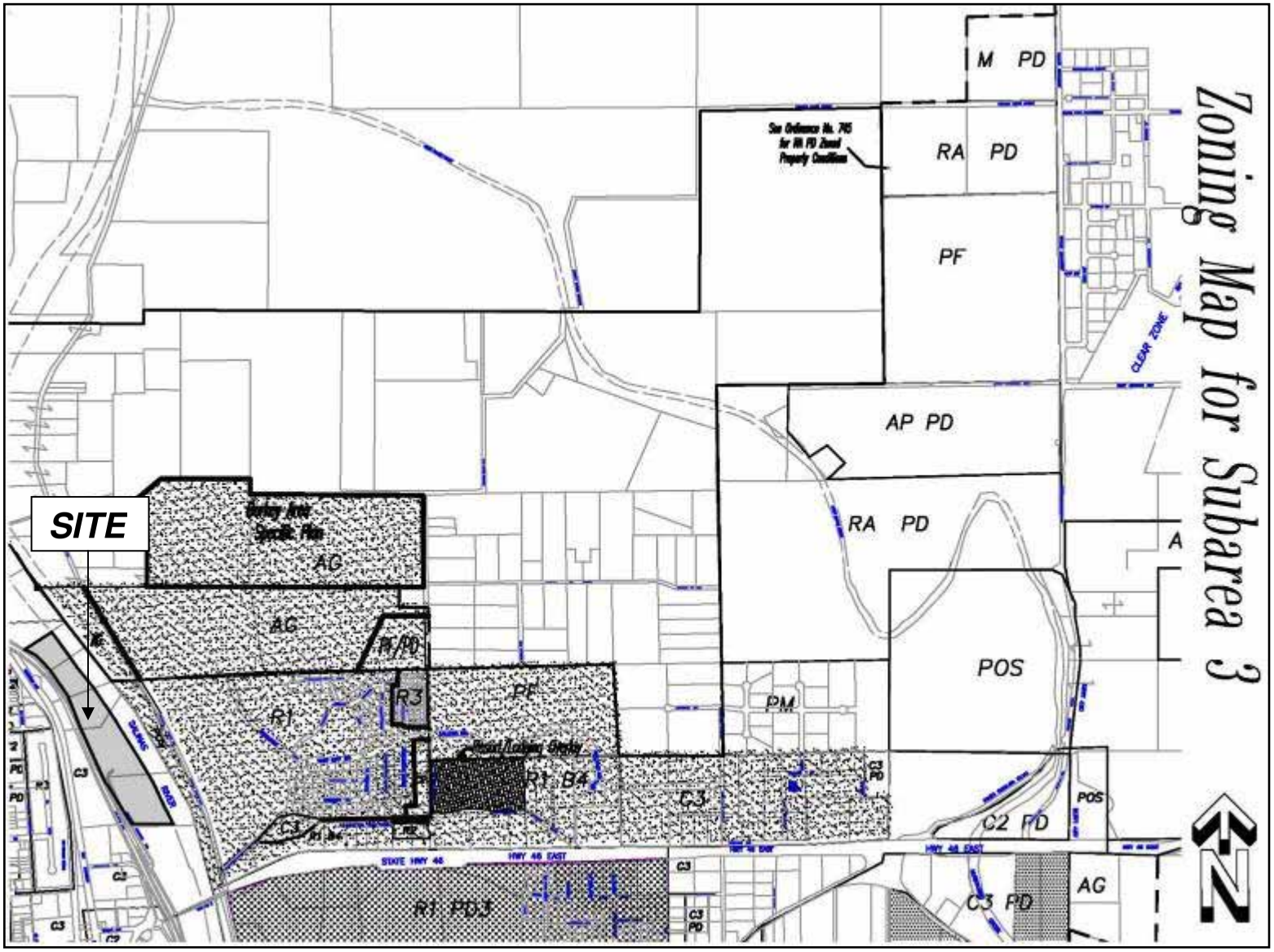

Figure 5. Proposed Facilities

Figure 6. Preliminary Jurisdictional Determination

III. ENVIRONMENTAL SETTING

The WWTP is located on a gently sloped site. Elevations of plant facilities vary from 670 to 693 feet above sea level. The WWTP site is underlain by flood plain and river channel deposits consisting of interbedded sand, gravel, silt and clay sediments of varying thicknesses and consistencies. Relatively shallow groundwater conditions are likely associated with the Salinas River. Groundwater was encountered at a depth of about 15 to 20 feet in previous explorations performed near the site. Stiff, well consolidated sediments of the Paso Robles formation typically underlie the alluvium at depths less than about 50 feet. The majority of the project site is developed by the existing facility. The southern portion of the project site consists of disturbed grassland and oak trees. The Salinas River riparian corridor is located along the eastern boundary of the project site.

A. Land Use and Zoning

The project site is within the City of Paso Robles Salinas River Overlay (see Figure 3). The Land Use Element of the City General Plan notes that development within this overlay is subject to special review for standards related to conservation, access, and recreational opportunities along the Salinas River corridor. The project site is also located within the Flood Hazard overlay, and is subject to special requirements due to flood hazards mapped by the Federal Emergency Management Agency (FEMA).

The project site is zoned for Commercial/Light Industrial. The adjacent properties west of the site are zoned for Commercial/Light Industrial. The Salinas River corridor to the east, south, and north of the project site is zoned for Parks/Open Space. The residential neighborhood east of the Salinas River is under the Borkey Area Specific Plan and is zoned for single-family residential uses.

B. Construction Impacted Areas

As can be seen on Figure 5, all the major site work will occur within the existing site boundary of the WWTP. The new operations building will be located on the east side of the entrance road, just south of the existing gated entrance. This building will be situated to preserve the existing large trees in the area. Sensitive habitat will be impacted with the construction of a new outfall structure at the east side of Pond 3, but this area will be very small. All major earthwork and construction activities will occur within the existing WWTP site boundary.

C. Neighboring Properties

North: Undeveloped, Salinas River floodplain
East: Salinas River, agricultural land, residential neighborhood
South: Undeveloped, Highway 101/Highway 46 interchange
West: Highway 101, commercial/industrial development

D. Other Agency Approval and Permits

Additional subsequent approvals and other permits that may be required from local, regional, state, and federal agencies are identified below:

- City for approval of Conditional Use Permit and grading/building permits (pending)
- Regional Water Quality Control Board approval of updated waste discharge permit (expected Fall 2010) and Clean Water Act Section 401 Water Quality Certification (pending CEQA compliance)
- California Department of Fish and Game Streambed Alteration Agreement (pending CEQA compliance)
- U.S. Army Corps of Engineers Section 404 Permit (pending CEQA compliance)

IV. ENVIRONMENTAL DETERMINATION

A. Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☒ Aesthetics	☐ Agriculture Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☒ Geology /Soils
☒ Hazards & Hazardous Materials	☒ Hydrology / Water Quality	☐ Land Use / Planning
☐ Mineral Resources	☒ Noise	☐ Population / Housing
☐ Public Services	☐ Recreation	☐ Transportation/Traffic
☐ Utilities / Service Systems	☒ Mandatory Findings of Significance	

B. Determination: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signed by Susan DeCarli, City Planner — April 2, 2010

Signature: — Date

IV. ENVIRONMENTAL ANALYSIS

A. Aesthetics

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☒	☐	☐
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐

Setting. The project site is currently developed with the existing wastewater treatment plant. The existing facilities include the headworks (preliminary treatment with screening and aerated grit chambers); two primary clarifier tanks; secondary treatment with two plastic media and two rock media trickling filters; four secondary clarifiers; and disinfection by sodium hypochlorite. Solids are treated with three digesters, belt press facilities, and concrete drying beds. The plant is accessed from Sulphur Springs Road. Areas to the north and south of the WWTP consist of level to steeply sloping areas of open space. The Salinas River lies to the east of the project site. Highway 101 borders the site to the west. The immediate area consists of Highway 101, commercial developments and open space associated with the Salinas River.

Views of the project site are partially screened by existing vegetation along the east shoulder of the northbound lanes of Highway 101. Because the proposed upgrade will not significantly change the appearance of the existing WWTP, the proposed project is considered compatible with the surrounding uses.

The proposed project is located within the jurisdiction of the City of Paso Robles. The regulatory setting pertaining to visual resources includes review of the proposed development's consistency with various elements of the City General Plan and Zoning Ordinance, in addition to the review of findings made in this document per California Environmental Quality Act (CEQA) *Guidelines*. The Land Use Element, Open Space Element, and Conservation Element of the General Plan provide a framework for evaluating proposed projects in regard to their potential to affect the atmosphere of the City.

Impacts.

a. The project would not have a significant impact on a scenic vista, because the site is located below the grade of the Highway, and will not interfere with scenic views of the Salinas River or distant ridges.

b. Highway 101 is currently classified by the California Department of Transportation (Caltrans) as an "Eligible State Scenic Highway – Not Currently Designated" (Caltrans, 2009). The project will largely take place on ground that is already disturbed and is developed with the existing WWTP. No rock outcroppings or unique geologic features would be affected. Construction of the project as well as staging areas adjacent to Sulphur Spring Road will be partially visible from the northbound lanes of Highway 101 and the northbound Highway 101 onramp; views will be partially blocked by existing vegetation. Visual impacts will be temporary and minor.

c. The existing visual character of the site ranges from urban/industrial near the Highway, to rural/agricultural within and northeast of the Salinas River. Implementation of the project would not substantially change the visual character of the project site in the long-term because improvements are generally limited to facility upgrades within developed areas. The proposed operations building would be a new feature located south of the facility area; however, based on the urban character of the area this use would not be visually inconsistent with the setting. During construction activities, the presence of equipment and materials would affect the visual character of the project site, but construction areas will be partially screened from view by existing vegetation and impacts would be temporary. Impacts would be reduced to less than significant by replacing any vegetation that is removed and restoring soils disturbed during construction activities, and implementation of a landscape plan to blend the proposed operations building into the Salinas River riparian corridor backdrop.

d. The generation of proposed lighting would increase the potential for glare visible from Highway 101 and adjacent areas. Implementation of measures to reduce light and glare would be implemented to minimize this effect, such as downcast hooded and shielded light fixtures.

Conclusion. The proposed upgrade project would not significantly alter the existing visual character at the project site. Implementation of a re-vegetation plan, which replaces any trees and shrubs that are removed during construction, and implementation of a landscape plan to blend the proposed operations building into the backdrop of the Salinas River corridor would reduce visual impacts to less than significant.

Mitigation Measure AES-1: The City shall prepare landscape and irrigation plans and specifications including measures to restore disturbed soils and staging areas. The plan shall incorporate the use of drought-tolerant vegetation, and low water-use irrigation methods (i.e., drip irrigation, micro-spray).

Mitigation Measure AES-2: The City shall develop an exterior lighting plan, which shall include

the height, location, and intensity of all proposed exterior lighting. All light poles, fixtures, and hoods shall be dark (non-reflective) colored. Lighting shall be designed to eliminate any off site glare. All exterior site lights shall utilize full cut-off, "hooded" lighting fixtures to prevent offsite light spillage and glare.

Finding. Based on implementation of mitigation measures identified above, potential aesthetic impacts would be mitigated to less than significant.

B. Agricultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

Setting:

The project site is currently occupied by the existing wastewater treatment plant and no agricultural uses occur onsite. The project site is not under Williamson Act contract. Underlying soils include Hanford and Greenfield gravelly sandy loams (2 to 9 percent slopes), Still clay loam (2 to 9 percent slopes), and Xerofluvents-Riverwash association. The NRCS does not rate the project site as Prime Farmland (USDA NRCS, 2009). The project site is not designated as Farmland, based on the Important Farmland Map for San Luis Obispo County (California Department of Conservation, 2006). Agricultural uses in the area include livestock grazing and production agriculture northeast of the Salinas River.

Impacts.

a. Based on the location of the proposed project, implementation of the proposed project would not affect farmland.

b. The project site is zoned as Commercial/Light Industrial, and the project site is not under Williamson Act contract; therefore, the proposed project would not conflict with existing zoning for agricultural use.

c. The project would not encroach upon or convert any active farmland on the project site or in the project vicinity. No impacts would occur.

Conclusion. No impacts to agricultural resources would occur, and no mitigation is necessary.

Finding. Based on the location of the proposed project, no significant agricultural impacts would occur.

C. Air Quality

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☒	☐	☐
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

The following discussion is a summary from the *Air Quality Analysis for the Paso Robles Wastewater Treatment Plant, City of El Paso De Robles, California* (February 2010) prepared by SWCA Environmental Consultants.

Setting. San Luis Obispo County is part of the South Central Coast Air Basin. The climate of Paso Robles is influenced by its proximity to the Pacific Ocean. Airflow around the county plays an important role in the movement and dispersion of pollutants. The speed and direction of local winds are controlled by the location and strength of the Pacific high pressure system and other global weather patterns, topographical factors, and circulation patterns that result from temperature differences between the land and the sea. Data from the Paso Robles airport (2006

to 2008), about four miles east of the project site, shows temperatures ranges from a high of 114 degrees Fahrenheit (ºF) to a low of 12ºF. Winds range from calm to almost 90 miles per hour (mph) with an average speed of six mph. Surface winds tend to be from the south-east and east in winter months (October through March), and the southwest to northwest from April through September. These differences are a function of surface pressures relative to temperature gradients.

The County's air quality is measured by nine total ambient air quality monitoring stations; the two nearest this proposed project are located in Atascadero and Paso Robles. Gaseous pollutant levels are measured continuously and averaged each hour, 24 hours a day. Particulate pollutants are generally sampled by filter techniques for averaging periods of three to 24 hours. PM10 (inhalable particulate matter ten microns or less in size) and PM2.5 (inhalable particulate matter 2.5 microns or less in size) are sampled for 24 hours every sixth day on the same schedule nationwide.

The significance of a given pollutant can be evaluated by comparing its atmospheric concentration to federal and state air quality standards. These standards represent allowable atmospheric contaminant concentrations at which the public health and welfare are protected, and include a factor of safety. In San Luis Obispo County, ozone and PM10 are the pollutants of main concern, since exceedance of state health-based standards for those are experienced here. The County has been designated as a non-attainment area for the state PM10 and ozone standards. Ozone levels exceeding the state and federal standards have been measured in Paso Robles, the Carrizo Plain, and Atascadero in recent years. Over the past ten years, state PM10 standards have been exceeded in various locations throughout the County, including Paso Robles and Atascadero.

On a regional basis, ozone is the pollutant of greatest concern in San Luis Obispo County, particularly in the north and east parts of the county. Ozone is a secondary pollutant, formed in the atmosphere by complex photochemical reactions involving precursor pollutants and sunlight. The amount of ozone formed is dependant upon both the ambient concentration of chemical precursors, and the intensity and duration of sunlight. Consequently, ambient ozone concentrations tend to be highest in the summer. Reactive Organic Gases (ROG) and Nitrogen Oxides (NOX) are the primary precursors to ozone formation. NOX emissions result primarily from the combustion of fossil fuels; ROG emissions are also generated by fossil fuel combustion and evaporation of petroleum products. Emissions of ROG and NOX are fairly equally divided between mobile and stationary sources in the county. The major regional PM10 sources are grading, demolition, agricultural tilling, road dust, quarries, and vehicle exhaust.

Air toxics are substances which may cause or contribute to an increase in cancer or serious illness, such as respiratory disease. The federal Clean Air Act (as amended in 1990) set up a new, nationwide, air toxics control program. The federal program focuses on larger industrial sources that are of the highest national priority, such as chemical manufacturers. State and local air pollution control agencies adopt measures to minimize Californians' exposure to Toxic Air Contaminants (TACs).

An odor is any gas that produces an olfactory response or sensation when inhaled through the nose. An odor threshold is a sensory property that refers to the minimum concentration necessary to produce this response. Although an odor may be detected, it may not be offensive. Offensive odors rarely cause any physical harm but they may create annoyance. Therefore, odor generators are usually segregated away from potential receptors. There are no federal or state regulations controlling odor emissions; however, local air districts do take enforcement action when they receive complaints from "a considerable number of persons". The state law is left intentionally vague to allow local officials leeway in responding and issuing fines and control orders. The primary sources of odorous gas emissions at the existing WWTP occur at the headworks, where untreated septage enters the WWTP. Primary clarifiers and sludge piles constitute less significant odor sources. Generally, daytime breezy conditions combined with physical separation from residences helps dilute odors for surrounding properties. The WWTP manages the operation to minimize odorous gas generation and no odor complaints have been noted in the past two years.

Regulatory Setting.

Federal. Air quality protection at the national level is provided through the federal Clean Air Act (CAA), most recently amended through the 1990 Clean Air Act Amendments. The 1990 CAA Amendments represent the fifth major effort by the U.S. Congress to improve air quality. The federal Clean Air Act is generally less stringent than the California Clean Air Act (CCAA). However, unlike the California law, the CAA sets statutory deadlines for attaining federal standards. The 1990 Amendments added several new sections to the law, including requirements for the control of toxic air contaminants, reductions in pollutants responsible for acid deposition, development of a national strategy for stratospheric ozone and global climate protection, and requirements for a national permitting system for major pollution sources.

All projects involving an area that has been designated "non-attainment" or "maintenance" for any federal criteria pollutant must comply with the related CAA attainment plan. San Luis Obispo County is currently designated "attainment" for all federal standards and is not designated a maintenance area.

State. The California Clean Air Act (CCAA) sets forth California ambient air quality standards and requires all areas of the state to achieve and maintain the air quality standards by the earliest practicable date. These standards are generally more stringent than the federal standards; thus, emission controls that comply with the state law are typically more than sufficient to achieve attainment of the federal standards. The CCAA requires that all Air Pollution Control Districts (APCDs) adopt and enforce regulations to achieve and maintain the state ambient air quality standards for the area under their jurisdiction. Pursuant to the requirements of the law, the San Luis Obispo County APCD (SLOAPCD) adopted a Clean Air Plan (CAP) for their jurisdiction in 1991, and has made subsequent updates and revisions.

Local. The most recent San Luis Obispo County CAP is used by the SLOAPCD to address attainment of national and state fugitive dust (PM10) and ozone standards for the entire county (SLOAPCD 2004). The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction, future air quality impacts to be expected under current growth trends, and

an appropriate control strategy for reducing ozone precursor emissions. PM10 emissions are expected to drop as part of the ozone control strategy as well.

Global Climate Change. AB 32, the Global Warming Solutions Act of 2006, sets goals for reducing greenhouse gases sufficiently to protect future resources. Interim goals are set for 2020 with a final goal of approximately 80 percent GHG reduction by 2050. The Air Resources Board must develop state inventories and develop emission reduction programs. Local agencies must also develop inventories and develop programs to meet GHG reduction targets. Senate Bill (SB) 375 requires changes in housing programs, coordination between transportation planning and land use (to reduce car driving), and eliminates CEQA review for some transit projects.

Climate change refers to any significant change in measures of climate (such as temperature, precipitation, or wind) lasting for an extended period of time (decades or longer) (Environmental Protection Agency [EPA], 2007). Climate change may result from:

- Natural factors, such as changes in the sun's intensity or slow changes in the Earth's orbit around the sun;
- Natural processes within the climate system (e.g., changes in ocean circulation); or
- Human activities that change the atmosphere's composition (e.g., through burning fossil fuels) and/or the land surface (e.g., deforestation, reforestation, urbanization, desertification, etc.).

Human activities, such as fossil fuel combustion and land use changes, release carbon dioxide and other compounds, cumulatively termed greenhouse gases (GHGs). GHGs are any gases that absorb infrared radiation in the atmosphere and tend to increase the average planetary temperature (EPA 2007). GHGs, as defined in Assembly Bill 32 (AB 32), include the following: carbon dioxide (CO2); methane (CH4); nitrous oxide (N2O); hydrofluorocarbons (HFCs); and, perfluorocarbons (PFCs).

A GHG inventory for Paso Robles is being prepared but not yet available for inclusion in this analysis. In California, the main sources of GHG emissions are from the transportation and energy sectors. According to the Air Resources Board (ARB) draft GHG emission inventory for the year 2004, 39 percent of GHG emissions result from transportation and 25 percent of GHG emissions result from electricity generation. California produced 497 million metric tons of CO2 equivalents in 2004 (ARB 2007). California currently produces about two percent of the world's GHG emissions, with about 0.55 percent of the population.

Climate change may have the following effects on northern, inland, San Luis Obispo County:

- Agriculture: reduced crop yields, increased irrigation demands, plant damage from tropospheric ozone. Every two degree Fahrenheit temperature increase reduces food crop yields by about ten percent due to pollination failure (Lobell and Field 2007)
- Public health: increased smog and commensurate respiratory illness and weather-related mortality (California Climate Change Portal [CCCP] 2007)
- Water resources: reduced Sierra snow pack, reduced late-summer water supplies, increased water demands, changed flood hydrology. San Luis Obispo County is

increasingly reliant on water imported from other areas of the state, which in turn, comes primarily from mountain precipitation

Impacts.

a. The 2001 Clean Air Plan includes land use management strategies to guide decision makers on land use approaches that result in improved air quality. Implementation of the proposed project is not anticipated to conflict with the 2001 CAP, because the project is limited to improvement of the existing facility. Proposed improvements would not increase population predictions estimated in the CAP for the city of Paso Robles. Improvements would not significantly increase vehicle trips, and would reduce miles traveled specific to fats, oil, and grease (FOG) and septage disposal, because these existing trips would be diverted locally, and would not extend out of the county limits. Due to the nature of the project, the proposed land use of the site would not change, or require transportation control measures. The project is located within an urban area, and would address existing demands for wastewater treatment.

b. The San Luis Obispo (SLO) County area is a non-attainment area for the State standards for ozone and suspended particulate matter. The SLO County Air Pollution Control District (APCD) administers a permit system to ensure that stationary sources do not collectively create emissions which would cause local and state standards to be exceeded. Implementation of the proposed project has the potential to generate emissions during construction of the project (short-term emissions) and during operation of the proposed facilities (long-term emissions).

Short-term emissions. Heavy equipment and earth-moving operations generate fugitive dust and combustion emissions. These may have substantial temporary impacts on local air quality. Fugitive dust emissions would result from land clearing, demolition, ground excavation, cut and fill operations, and equipment traffic over temporary roads at the WWTP. Combustion emissions, such as NOX and PM10, are most significant when using large diesel fueled scrapers, loaders, bulldozers, haul trucks, compressors, generators, and other types of equipment. Thresholds and their corresponding level of appropriate mitigation (e.g., Tier 1) are shown in Table 1 below.

Table 1. Level of Construction Activity Requiring Mitigation

Pollutant	Threshold			Emission Estimate[1]
	Daily	Quarterly Tier 1	Quarterly Tier 2	
ROG + NO_X (combined)	137 lbs	2.5 tons	6.3 tons	37.47 lbs/day, 1.5 tons/quarter

[1] Based on a 6 day work week.

Table 1. Level of Construction Activity Requiring Mitigation

Pollutant	Threshold			Emission Estimate[1]
	Daily	Quarterly Tier 1	Quarterly Tier 2	
Diesel Particulate Matter (DPM)	7 lbs	0.13 tons	0.32 tons	3.53 lbs/day, 0.138 tons/quarter
Fugitive Particulate Matter (PM_{10}), Dust*	n/a	2.5 tons	n/a	0.073 tons/quarter
Greenhouse Gases (CO_2, CH_4)	Not Yet Established			7,452 lbs

*Any project with a grading area greater than 4.0 acres of worked area can exceed the 2.5 ton PM_{10} quarterly threshold

Source: County of San Luis Obispo APCD CEQA Air Quality Handbook, 2009

Materials Containing Asbestos. All trickling filters, clarifiers, and the existing headworks will be demolished. This work will use excavators, bulldozers, large trucks, and possibly a crane to demolish and remove the concrete structures. The possibility exists that these structures could include asbestos-containing building materials or other hazardous building materials. Demolition and remodeling activities are subject to the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants.

Fugitive Dust. Site grading will occur at the southeast corner of the site where the road will need realignment for the chlorine contact basin, preparation of a building pad for the proposed operations building, and trenching activities associated with the proposed discharge route. Heavy equipment performing construction activities would create dust resulting in substantial temporary impacts. Fugitive dust emissions would result from land clearing; excavation, and equipment traffic over temporary dirt roads. Impacts from fugitive dust emissions would be significant because they potentially would cause a public nuisance or would exacerbate the existing PM_{10} non-attainment status in the northern areas of the County, including the City of Paso Robles.

Combustion Emissions (ROG, NOx, and DPM). Approximately 50,000 cubic yards of soil are proposed for disturbance, which would not exceed 2,000 cubic yards per day (personal communications, Cornerstone Engineering, 2009). Movement of 2,000 cubic yards per day generates 185 lbs/day of NOx (APCD threshold). Combustion emissions are most significant when using large diesel-fueled scrapers, loaders, bulldozers, haul trucks, compressors, generators, and other heavy equipment. Emissions can vary substantially from day to day, depending on the level of activity and the specific type of operation. ROG and NOx are the critical pollutants caused by construction work because of the high output of these pollutants by heavy diesel equipment normally used in grading operations. Based on proposed grading estimates, construction emissions would not result in an exceedance of significance thresholds for ROG or NOX (refer to Table 1).

In July 1999, the ARB listed diesel exhaust as a toxic air contaminant, identifying both chronic and carcinogenic public health risks. There is no threshold below which there are no significant health risks. Although construction activities would not exceed daily thresholds for diesel particulate matter, the proposed project may slightly exceed the Quarterly Tier 1 threshold for diesel particulate matter (DPM), therefore Tier 1 mitigation for DPM (APCD's Standard Mitigation Measures, including Best Available Control Technology for construction equipment) is proposed.

Long-term Emissions. The threshold criteria established by the SLOAPCD to determine the significance and appropriate mitigation level for long-term operational emissions (i.e., vehicular and area source emissions) from a project are presented in Table 2. Emissions that equal or exceed the designated threshold levels are considered potentially significant and should be mitigated. As shown in Tables 2 and 3, the level of analysis and mitigation recommended follows a tiered approach, based on the overall amount of emissions generated by the project. For projects requiring air quality mitigation, the SLOAPCD has developed a list of both standard and discretionary mitigation strategies tailored to the type of project being proposed: residential, commercial, or industrial.

Table 2. APCD Thresholds of Significance for Operational Emissions Impacts

Pollutant	Threshold		Emission Estimate
	Daily	Annual	
Ozone Precursors (ROG + NO_X,)	25 lbs/day	25 tons/year	1.02 lbs/day
Diesel Particulate Matter (DPM)	1.25 lbs/day	n/a	0.02 lbs/day
Fugitive Particulate Matter (PM10), Dust	25 lbs/day	25 tons/year	0.01 lbs/day
Greenhouse Gases (CO2, CH4)	Not Yet Established		892.12 tons/year

Source: County of San Luis Obispo, APCD CEQA Air Quality Handbook, 2009

Table 3. Mitigation Threshold Guide

Combined ROG +NOx, or PM10 Emissions (lbs/day)	Mitigation Measures Recommended	
	Residential, Commercial or Industrial	Off-site Mitigation
< 25	None	None
25 – 29	Yes	Depends on other factors
30 – 34	Yes	Depends on other factors
35 – 50	Yes	Depends on other factors

≥ 50 lbs/day	Yes	Depends on other factors
≥ 25 tons/yr	Yes	Yes

Source: County of San Luis Obispo, APCD CEQA Air Quality Handbook, 2009

Operational Impacts. As shown in Table 2, operation of the project would not exceed APCD-identified thresholds for operational emissions. The City will allow approximately one truck per day of fats, oil, and grease (FOG) to be delivered to the WWTP. FOG is highly digestible in the anaerobic digestion process so it will significantly increase gas production. Many municipal wastewater treatment plants accept FOG for anaerobic digestion, often coupled with gas utilization equipment such as cogeneration engines, turbines, or micro turbines. The WWTP currently has a connected power load of 380 kilo volt amperes (kVA). This will increase to 1332 kVA at build-out, resulting in a net increase of 952 kVA. The actual power demand will depend on the equipment and machinery in use at any given time. Power consumption is expected to increase about 400% over the existing plant power consumption. This increase will be offset by the following measures: About half the increased demand will be met with cogeneration power.

The project will also reduce existing emissions generated by trucks hauling FOG to Bakersfield (approximately 260 miles roundtrip). Estimated emissions are summarized in Table 4 below.

Table 4. Reduction in Operational Emissions Due to FOG Transport

	ROG	NOx	PM_{10} Dust	PM_{10} Exhaust	$PM_{2.5}$ Dust	$PM_{2.5}$ Exhaust	CO
Emissions per round trip	0.33 lbs/day	5.13 lbs/day	0.04 lbs/day	0.17 lbs/day	0.01 lbs/day	0.16 lbs/day	1.61 lbs/day

In addition, The WWTP will produce substantially more electricity and heat. This will reduce the amount of natural gas and grid electricity purchased. Since combusting FOG is essentially carbon neutral, CO2 emission levels will be lower than those created by burning fossil fuels to produce grid power or combusting natural gas on site.

There will be no new worker traffic or other substantial changes in motor vehicle use. Therefore, the WWTP will provide a benefit to local air quality in allowing local acceptance of FOG and septage.

Based on the discussion above, long-term operational impacts would be less than significant.

c. Refer to (b) above.

d. The project site is located approximately 0.2 mile from a residential area. As discussed above, construction and operation of the project would generate emissions including DPM and fugitive dust. These emissions would not exceed APCD thresholds; however, due to the proximity of sensitive receptors, mitigation would be implemented to mitigate the potential for a nuisance, and exposure to DPM.

e. An odor characteristically has three significance thresholds. The first threshold is the detection threshold, which is the minimum amount of odor-free dilution air needed to prevent an individual from detecting the odor. The detection threshold is the point where an individual detects an odor. This threshold varies for each individual. The second threshold, the recognition threshold, occurs at lower dilutions (higher concentrations). At the recognition threshold, other odor parameters such as odor character and relative pleasantness are noticeable. The third threshold is called the annoyance threshold. The annoyance threshold is at or above the recognition threshold. At the annoyance threshold, people complain about an odor. This can even occur when the odor is pleasant. For example, a person passing by an industrial bakery or chocolate factory may experience the odor as pleasant. However, individuals living near these facilities and constantly subjected to the odor may consider it a nuisance. Based on implementation of the proposed treatment equipment and active odor minimization plan, implementation of the proposed upgrade would not result in significant odors affecting the surrounding area.

Conclusion. Implementation of the proposed project would result in potential significant, but mitigable impacts during construction activities, including generation of air emissions including DPM and generation of fugitive dust potentially affecting sensitive receptors, and exposure of asbestos. Implementation of standard mitigation measures would reduce these impacts to less than significant.

Mitigation Measures AQ-1: Prior to commencement of grading, demolition, and construction activities, the City shall include the following Best Available Control Technology measures for diesel-fueled construction equipment on final grading and construction plans. These measures will reduce nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from 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 ARB certified motor vehicle diesel fuel (non-taxed version suitable for off-road);
c. 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;
d. Use on-road heavy-duty trucks that meet the ARB'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 that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx 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 within 1,000 feet of sensitive receptors is not permitted;
h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
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.

Mitigation Measure AQ-2: Prior to commencement of grading, demolition, and construction activities, the City shall include the following measures to control fugitive dust on final grading and construction plans. These measures will reduce fugitive dust (PM10) emissions:

a. Prohibit dust opacity greater than ten percent from any project source beyond the property line;
c. Prohibit visible fugitive dust onsite that equals or exceeds 20 percent opacity for three minutes or more in any one hour;
d. Provide for monitoring dust and construction debris during construction;
e. Designate a person or persons to monitor the dust control program and to order increased watering or other measures as necessary to prevent transport of dust off-site. Duties should include holiday and weekend periods when work may not be in progress (but strong winds are forecast);
f. Provide the name and telephone number of such persons to the APCD prior to construction commencement;
g. Identify complaint handling procedures;
h. Fill out a daily dust observation log; and,
i. Provide a list of all heavy-duty construction equipment operating at the site. The list shall include the make, model, engine size, and year of each piece of equipment.

Dust Control measures shall contain the following items or equivalent measures:

a. Reduce the amount of the disturbed area where possible.
b. Water trucks or sprinkler systems shall be used in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency shall be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible.
c. All dirt stockpile areas shall be sprayed daily as needed.
d. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established.
e. All disturbed soil areas not subject to re-vegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
f. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible after initial site grading. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
g. Vehicle speed for all construction vehicles shall be posted to not exceed 15 mph on any unpaved surface at the construction site.

h. All trucks hauling dirt, sand, or other loose materials are to be covered or shall maintain at least two feet of free board (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.
i. Wheel washers shall be installed where vehicles enter and exit unpaved roads onto streets, or, trucks and equipment leaving the site shall be washed off.
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 when feasible.
k. Permanent dust control measures shall be implemented as soon as possible following completion of any soil disturbing activities.

Mitigation Measure AQ-3: Naturally-occurring asbestos has been identified by the State Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common in the state and may contain naturally occurring asbestos. Under the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to construction permit issuance, a geologic investigation will be prepared and then submitted to the City to determine the presence of naturally-occurring asbestos. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM before grading begins. These requirements may include, but are not limited to, 1) preparation of an "Asbestos Dust Mitigation Plan", which must be approved by APCD before grading begins; 2) an "Asbestos Health and Safety Program", as determined necessary by APCD. (For any questions regarding these requirements, contact Karen Brooks (APCD) at (805) 781-5912 or go to http://www.slocleanair.org/business/asbestos.asp). Prior to final inspection or occupancy, whichever occurs first, when naturally-occurring asbestos is encountered, the applicant shall provide verification from APCD that the above measures have been incorporated into the project.

Finding. Based on implementation of mitigation measures identified above, potential air quality impacts would be mitigated to less than significant.

D. Biological Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the	☐	☒	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
California Department of Fish and Game or US Fish and Wildlife Service?				
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☒	☐	☐

This following discussion is based on the following reports, prepared by SWCA Environmental Consultants: *Biological Resources Survey Report for the El Paso de Robles Wastewater Treatment Plan Upgrade Project* (2009), *California Red-legged Frog Site Assessment Report for the El Paso de Robles Wastewater Treatment Plant Upgrade Project, Paso Robles, San Luis Obispo County, California* (2009), and *Preliminary Jurisdictional Determination for the El Paso de Robles Wastewater Treatment Plant Upgrade Project, Paso Robles, San Luis Obispo County, California* (2009).

Setting. The WWTP is located on the northern end of the city, between Highway 101 to the west and the Salinas River to the east. The facilities cover approximately 52 acres and the project study area is 17 acres in size. Elevation of the WWTP is approximately 700 feet above sea level. The WWTP process includes influent screening, aerated grit removal, primary sedimentation, two-stage trickling filters, secondary clarification, and disinfection. The disinfected effluent flows into a series of six ponds adjacent to the Salinas River. The third and sixth ponds discharge to the river. Refer to Figure 5.

The plant communities within the project study area include: landscaped/developed, ruderal, seasonal wetland, windrow, central coast live oak riparian forest, central coast arroyo willow riparian forest, central coast riparian scrub, and riverine habitat. Of these plant communities, central coast live oak riparian forest, central coast arroyo willow riparian forest, and central coast

riparian scrub are considered sensitive by CDFG. A detailed discussion of the sensitive plant communities found within the project study area is included in the *Biological Resources Summary Report* (SWCA, 2009).

Special-Status Plants. Based on the literature review for this project, a total of twenty eight sensitive plant species have been documented in an approximate 10-mile radius of the site (SWCA, 2009). Because the plant species list is considered regional, the range and habitat preferences of those species was analyzed to identify which special-status plant species have potential to occur within the project area. This analysis considered existing habitats, elevation, and soil types found within the site. This analysis determined that the following two sensitive plant species may have potential to occur within or directly adjacent to the project study area based on the presence of potential suitable habitat: 1) Davidson's bush mallow; and, 2) San Bernardino aster.

Davidson's Bush Mallow (Malacothamnus davidsonii)
Davidson's bush mallow is a deciduous shrub in the Malvaceae family. This species is documented in San Luis Obispo, Monterey, San Mateo, Santa Clara, and Los Angeles Counties. It is a California endemic found in chaparral, cismontane woodland, coastal scrub, and riparian woodland habitats. The blooming period for this species is June through January. The CNPS considers this species to be rare and fairly endangered in California (List 1B.2). The project study area includes riparian and forest habitat capable of supporting Davidson's bush mallow; however, this species was not observed during field surveys conducted during July and August 2009.

San Bernardino Aster (Symphyotrichum defoliatum)
San Bernardino aster is a rhizomatous herb in the Asteraceae family. The presence of this species is documented in San Luis Obispo County, south to San Diego County, and east towards San Bernardino and Riverside Counties. It is a California endemic found in cismontane woodland, coastal scrub, lower montane coniferous forest, meadows and seeps, marshes and swamps, valley and foothill grassland (vernally mesic)/near ditches, streams, and spring habitats. This species flowers from July to November. The CNPS considers this species to be rare and fairly endangered in California (List 1B.2). The project study area supports riparian and forest habitat capable of supporting San Bernardino aster; however, this species was not observed during field surveys conducted during July and August 2009.

Special-status animals. Based on a CNDDB query and a review of existing literature, a total of twenty-five special-status wildlife species were investigated for potential occurrence within the project study area. Within the property, thirteen special-status wildlife species were determined to have suitable habitat conditions (SWCA, 2009). Suitable habitat was also considered to be present for nesting migratory bird species, which are protected under Migratory Bird Treaty Act (MBTA) of 1918.

South-central California coast Steelhead (Oncorhynchus mykiss)
South-central California coast steelhead is a Federally Threatened (FT) fish species that historically occupied the headwaters of the Salinas River before the Salinas Dam was

built in 1954. Over time the valley portions of the Salinas River (main stem) have become unsuitable for spawning and rearing juvenile steelhead. Steelhead habitat has declined in this portion of the Salinas River due to the presence of a sandy/silt substrate, low flows during the summer and high water temperatures. The lower portions of the Salinas River located in Monterey County function as migration corridor when flows are great enough to connect to the Pacific Ocean (Titus et al 2006). Although steelhead are not expected to occur within the project study area, the WWTP does influence the amount of water within a localized section of the Salinas River, which could provide some habitat for steelhead or resident trout.

California Red-Legged Frog (Rana draytonii)

The California red-legged frog was listed as federally threatened by the U.S. Fish and Wildlife Service (USFWS) in 1996, and is also considered a Species of Special Concern (SSC) species by CDFG. Riparian habitat degradation, urbanization, predation by bullfrogs, and historic market harvesting have all reportedly contributed to population declines in this species. The California red-legged frog occurs in various habitats during its life cycle. Breeding areas include aquatic habitats such as lagoons, streams and ponds, and siltation and irrigation ponds. California red-legged frogs prefer aquatic habitats with little or no flow, the presence of surface water to at least early June, surface water depths to at least 0.7 meters (2.3 feet), and the presence of fairly sturdy underwater supports such as cattails (Typha spp.). The largest densities of California red-legged frog are typically associated with dense stands of overhanging willows and an intermixed fringe of sturdy emergent vegetation. Although no California red-legged frogs were observed while conducting surveys of the project study area in 2009, the study area does contain suitable breeding and foraging habitat for this species.

Western Spadefoot (Spea hammondii)

The western spadefoot toad is considered a SSC by CDFG. The species ranges from Shasta County in the north, southward into northwestern Baja California, Mexico. In California, the known range is entirely west of the Sierra Nevada and desert regions. It is known to occur in elevations that range from near sea level to 4,470 ft. The western spadefoot is a terrestrial species that enters water to breed. It inhabits underground burrows, primarily in washes, floodplains, alluvial fans, playas, alkali flats, and also in foothills and mountains. For breeding, the species uses temporary rain pools (vernal pools) that persist for more than three weeks. The pools are often associated with ephemeral stream courses. During surface activity between late February and late May, females attach egg masses to plant material or submerged rocks in rain pools, and larval development occurs in three to 11 weeks. Successful reproduction occurs in pools that lack fishes, bullfrogs, and crayfish. This species typically preys on invertebrates. Although, no western spadefoot toads were observed while conducting surveys of the project study area there is potential breeding habitat within the seasonal wetland located in the southern portion of the project study area. This seasonal wetland area may also provide suitable estivation habitat for this species.

Southwestern Pond Turtle (Actinemys marmorata pallida)

The southwestern pond turtle is considered a SSC species by CDFG. Pond turtles prefer quiet waters of ponds, lakes, streams, and marshes. This subspecies inhabits reaches of streams that contain deep pools, from 3.0 to 5.2 feet in depth. The ponds favored by turtles typically support emergent and floating vegetation such as cattails and algal mats. The southwestern pond turtle historically has been present in most Pacific slope drainages between the Oregon and Mexican borders. It is mostly aquatic, leaving its aquatic site to reproduce, estivate, and over-winter. Pond turtles also bask on half-submerged logs, rocks, or flat shorelines close to the edge of water. In warmer areas along the central and southern California coast, pond turtles may be active all year. Nesting sites may be more than 400 meters from the aquatic site, but most nests are within 200 meters. Approximately ten pond turtles were observed in the WWTP ponds during the May survey.

Coast Horned Lizard (Phrynosoma coronatum frontale)

The coast (California) horned lizard is considered a SSC species by CDFG. This species is a relatively large horned lizard, less rounded than other species, with numerous pointed scales along the sides of the body and over the back. Only the horns around the head are rigid. The range of the species extends from northern California to the tip of Baja California, distributed throughout foothills and coastal plains in areas with abundant, open vegetation such as chaparral or coastal sage scrub. The species typically occupies open country, especially sandy areas, washes, flood plains and wind-blown deposits in a wide variety of habitats. The coast horned lizard is a ground dweller, and does not climb shrubs or trees. Egg-laying in southern California extends from late May through June with a mean clutch size of 13 eggs. Coast horned lizards feed on ants and other small insects. One coast horned lizard was observed in the central coast riparian scrub during the July survey. This species was observed within the project study area along the banks of the Salinas River.

Monterey Dusky-footed Woodrat (Neotoma fuscipes luciana)

The Monterey dusky-footed woodrat occurs in coastal central California and is considered a SSC by the CDFG. This subspecies prefers habitats that exhibit a moderate vegetative canopy, with a brushy understory. Dusky-footed woodrats primarily breed in the spring; however, breeding activities may continue throughout the year during favorable conditions. This species can have multiple litters during the year. Nests (middens) are typically built of sticks and leaves at the base of, or within, a tree or shrub, or at the base of a hill. Middens may measure up to eight feet in height and diameter. This nocturnal species forages on the ground and primarily feeds on woody plants, but also eats fungi, flowers, grasses, and acorns. A large woodrat midden was observed in central coast live oak riparian forest.

Cooper's Hawk (Accipiter cooperi)

Cooper's hawks are protected by the MBTA and are found in dense stands of live oak (Quercus spp.), riparian or other forest habitats, near water. Cooper's hawk forages in broken woodland and habitat edges, where they capture small birds and mammals in the air, on the ground, and in vegetation. This species nests in deciduous trees, usually six to 15 meters above the ground; breeding occurs March through August, with peak activity

May through July. The project study area provides both nesting and foraging habitat for Cooper's hawk.

Yellow Warbler (Dendroica petechia brewsteri)

Yellow warblers are migratory and are broadly distributed throughout North America, though their California distribution is largely restricted to the northern and coastal portions of the State, and the Sierra Nevada foothills. Within San Luis Obispo County, this species is a fairly common summer transient of deciduous riparian habitats. Breeding and nesting of yellow warbler typically occurs from mid-April to early August, with peak activity occurring in June. Eggs (typically three to six) are incubated for approximately 11 days, and young fledge approximately nine to 12 days thereafter. The nesting lifestage of yellow warbler is considered a SSC by CDFG. Brood parasitism by brown-headed cowbirds has reportedly reduced numbers of this species statewide, though predation and destruction/clearing of riparian habitat is also implicated in population declines of this species. This species was not observed or heard during surveys; however, due to the presence of suitable habitat this species has a potential to occur within the project study area.

Bald Eagle (Haliaeetus leucocephalus)

The bald eagle was listed as federally and state endangered in 1971 and then proposed for delisting in 1999. Currently, the species is state listed as endangered and recognized as a Fully Protected species by the CDFG. The bald eagle is a large, dark brown raptor that weighs about eight to 14 pounds and has a wingspan of 6.5 to eight feet. Adults have a white head and tail. They are rare or uncommon to locally fairly common winter visitor from October to late March and early April. The breeding range is mainly in mountainous habitats of northern California and the Central Coast Range near reservoirs, lakes and rivers. Nests are built in the upper canopy of large trees, usually conifers. In most of California, the breeding season lasts from about January through July or August. Bald eagles winter throughout the state in areas that have medium to large bodies of water where their main food source is from fish. The project study area provides potential wintering opportunities for bald eagles. Based on personal communication with WWTP Plant Manager, Chris Slater (July 8, 2009), this species has been observed as an infrequent forager within the project study area. However, the WWTP does not contain any fish species for the bald eagle to prey upon.

Osprey (Pandion haliaetus)

Osprey is considered a SSC species by the CDFG, and it is protected under CDFG Codes 3503, 3503.5, 3513, and MBTA. Osprey is associated with large, fish-bearing waters, primarily in ponderosa pine through mixed conifer habitats. This species preys mostly on fish in rivers, lakes, reservoirs, bays, estuaries, and surf zones. Nests are placed on a platform of sticks at the top of large snags, dead-topped trees, on cliffs, or on human made structures. Breeding takes place between March and September, with a clutch size of one to four eggs. This species needs tall, open-branched "pilot trees" for landing before approaching the nest, and for use by young for flight practice. Two ospreys were

observed flying over the project study area during a survey conducted by SWCA in February 2009. One of the two was observed flying into a blue gum eucalyptus tree just north of the study area.

Least Bell's Vireo (Vireo bellii pusillus)

Least Bell's vireo is a state and federally listed endangered species. This species primarily occurs in association with low, dense riparian growth in the vicinity of water or dry river bottoms. Nesting usually occurs along the margins or on twigs of various shrubs including low-growing species of willow. Breeding and nesting of the species primarily occurs in May and June. The nearest known documented occurrence of least Bell's vireo was observed over the Salinas River in 1983 upstream and downstream of the Bradley Bridge. This species was not observed or heard during surveys. Although riparian vegetation is present within the project study area, this vegetation is not considered suitable habitat for nesting least Bell's vireo due to the high level of disturbance that has resulted in very sparse, low-density vegetation. This species may occur within the project area as an infrequent foraging transient during its migration, but is not expected to be nesting within the immediate vicinity of the project study area.

Nesting Birds (Class Aves)

A number of other bird species have the potential for nesting within the project study area, and are protected during their nesting period under the provisions of the federal MBTA and CDFG Code Section 3503. Birds may nest in urban habitats (such as buildings, bridges, and landscaped ornamental vegetation), windrows, riparian forest and scrub areas and ruderal habitats. During the survey, several bird species protected under MBTA were observed within the project study area. It is likely that these species are utilizing the project study area for nesting.

Roosting Bat Species

Roosting bats are protected under CESA and CEQA. CDFG is responsible for administering these acts relative to roosting bats. Large trees on and adjacent to the project study area have the potential to support unknown bat species, including the pallid bat (Antrozous pallidus) and hoary bat (Lasiurus cinereus). No bats were observed during surveys conducted in 2009; however, if bats are utilizing onsite trees for roosting, CDFG is empowered to review the project for impacts to the bats and require mitigation for any impacts that may occur. No roosting bats were observed during surveys conducted in 2009.

Federal Endangered Species Act. The Federal Endangered Species Act of 1973 (FESA) provides legislation to protect federally listed plant and animal species. Impacts to listed species resulting from the implementation of a project would require the responsible agency or individual to formally consult with USFWS or National Marine Fisheries Service (NOAA Fisheries Service) to determine the extent of impact to a particular species. If USFWS or NOAA Fisheries Service determine that impacts to a federally-listed species would likely occur, alternatives and measures to avoid or reduce impacts must be identified. USFWS and NOAA Fisheries Service also regulate activities conducted in federal critical habitat, which are

geographic units designated as areas that support primary habitat constituent elements for listed species.

Migratory Bird Treaty Act. The Migratory Bird Treaty Act of 1918 (MBTA) protects all migratory birds, including their eggs, nests, and feathers. The MBTA was originally drafted to put an end to the commercial trade in bird feathers, popular in the latter part of the 1800's. The MBTA is enforced by the USFWS, and potential impacts to species protected under the MBTA are evaluated by the USFWS in consultation with other federal agencies. Several migratory bird species may be present within all habitats within the project study area, including landscaped/developed and ruderal areas. If nesting bird surveys are conducted prior to any ground disturbing activities, and none are present, impacts to nesting birds are not expected.

California Endangered Species Act. The California Endangered Species Act (CESA) ensures legal protection for plants listed as rare or endangered, and wildlife species formally listed as endangered or threatened. The state also maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat; or unusual scientific, recreational, or educational value. Under state law, the CDFG is empowered to review projects for their potential to impact special-status species and their habitats. Under CESA, CDFG reserves the right to request the replacement of lost habitat that is considered important to the continue existence to CESA protected species.

California Fish and Game Code. California Fish and Game Code Section 3511 includes provisions to protect Fully Protected (FP) species, such as: (1) Prohibiting take or possession "at any time" of the species listed in the statute, with few exceptions; (2) stating that no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to "take" the species; and (3) stating that no previously issued permits or licenses for take of the species "shall have any force or effect" for authorizing take or possession. The CDFG is unable to authorize incidental take of "fully protected" species when activities are proposed in areas inhabited by those species. Sections 3503 and 3503.5 of the Fish and Game Code state that it is unlawful to take, possess, or destroy the nest or eggs of any bird, with occasional exceptions. In addition, Section 3513 states that it is unlawful to take or possess any migratory bird as designated in the MBTA or any part of such migratory birds except as provided by rules and regulations under provisions of the MBTA.

Section 1603 of the Fish and Game Code. The CDFG is responsible for conserving, protecting, and managing California's fish, wildlife, and native plant resources. To meet this responsibility, the law requires any person, state or local government agency, or public utility proposing a project that may impact a river, stream, or lake to notify the CDFG before beginning the project. If the CDFG determines that a project may adversely affect existing fish and wildlife resources, a Lake or Streambed Alteration Agreement is required. A Streambed Alteration Agreement lists the CDFG conditions of approval relative to the proposed project, and serves as an agreement between the City and the CDFG for a term of not more than five years for the performance of activities subject to this section. The project will require issuance of a Lake or Streambed Alteration Agreement prior to beginning work associated with the facility upgrade.

Impacts.

a. **Special-status plants.** Spring and summer field surveys were conducted during the appropriate blooming period for all plant species determined to have the potential to occur within or immediately adjacent to the project work areas. No special-status plant species were observed during the survey efforts in 2009; therefore, no impacts to special-status plant species would occur.

Special-status animals. As proposed, project activities are proposed directly adjacent to sensitive habitats. These habitats contain or have potential to contain a variety of sensitive wildlife species, including vernal pool fairy shrimp, California red-legged frog, southwestern pond turtle, western spadefoot toad, roosting bats, and nesting birds. The potential for impacts, and recommended mitigation measures for sensitive species are presented below.

Vernal Pool Fairy Shrimp

Vernal pool fairy shrimp is known to occur approximately two miles south of the project study area. The seasonal wetland feature within the southern portion of the project study area may provide suitable habitat for this species. The occurrence is considered unlikely due to the historical disturbance and the soil type of the area. Should the proposed project result in impacts to the seasonal wetland area, there is a potential that this species may be impacted. Based on the location of the seasonal wetland area outside of areas proposed for facility improvements, the potential sensitive habitat can be avoided during construction and operation of the project. Mitigation to avoid and protect this habitat shall be implemented to ensure less than significant effects.

Southwestern pond turtle

Southwestern pond turtle were observed directly within the wastewater treatment ponds during field surveys conducted during May 2009. The proposed project would include improvements to Pond 3 that would result in potential impacts to this species.

Coast horned lizard

Coast horned lizard was identified within sandy riverine habitat located within the project study area, but not directly within the proposed project impact area. Due to the presence of sandy soils surrounding the outfall structure, there is a potential that this species may be present within this area. As a result, coast horned lizard may be impacted by outfall improvements. This species may also occur within the proposed staging area; however, the likelihood of this occurrence is considered low due to the disturbed nature of this habitat and the presence of more suitable habitat nearby (Salinas River).

Western spadefoot toad

Western spadefoot toad was not observed within the project study area during surveys conducted by SWCA in 2009. However, due to the known presence of this species in the Paso Robles area, the subterranean lifecycle of the species, and the presence of suitable habitat within the project site, there is a potential that this species may occur within the southern portion of the project study area. Although the likelihood of this occurrence is

low, this species may be impacted should grading heavy equipment impact the seasonal wetland area within the southern portion of the project area. The wetland itself can be avoided by implementation of protection measures.

California red-legged frog

California red-legged frog was not observed during surveys conducted by SWCA in 2009. In order to evaluate the potential for California red-legged frog to occur within the project study area, SWCA conducted a USFWS California Red-legged Frog Site Assessment. As a result of this study, it was determined that this species does not occur within a one mile radius of the project study area; however, there is a presence of suitable breeding and foraging habitat within the project study area. Therefore, this species may be impacted by construction activities which include potential habitat areas such as Pond B and the Salinas River. It is unlikely that the species would occur within the seasonal wetland feature located within the southern portion of the property since it lacks appropriate cover from predators, pool depth, and the presence of surface hydrology during the non-rainy season. Due to the potential for California-red-legged frog to occur within the project site, albeit low, the City should assume presence of California red-legged frog during all project activities within proximity to suitable habitat.

Monterey dusky-footed woodrat

Monterey dusky-footed woodrat is known to occur within the project study area. Removal of vegetation within the project study area may result in impacts to this species.

San Joaquin kit fox

San Joaquin kit fox utilizes the Salinas River as a wildlife corridor for the purposes of foraging. Based on the existing footprint of facility use areas, implementation of the project would not result in a loss of habitat. Although suitable habitat is present for this species within the project study area, it is unlikely to occur due to the low population numbers, and lack of recent observations within the area. In addition, due to the location of the project site, payments of San Joaquin kit fox mitigation fees are not required. Despite this low likelihood of occurrence, mitigation measures are recommended to reduce the potential impact to this species.

b. Central coast live oak riparian forest, central coast arroyo willow riparian forest, central coast riparian scrub, seasonal wetland, and riverine are sensitive plant communities located within and adjacent to the project study area. As proposed, the project would include improvements to Pond 3, the WWTP facilities, and the existing outfall structure. The facility upgrades would include the construction of a proposed operations building to be located near the entrance of the existing plant. A portion of the ruderal/disturbed habitat to the south of the WWTP would also be impacted for staging and equipment storage purposes.

It is anticipated that central coast arroyo willow riparian forest habitat will be impacted during the improvements associated with Pond 3 and the existing outfall structure. Central coast live oak riparian forest areas adjacent to staging locations could be impacted during construction. The seasonal wetland feature located in the proposed

staging area, could also be impacted by project activities; however, placement of protection fencing would prevent unnecessary disturbance. Preparation of a Revegetation and Mitigation Plan will be necessary to compensate for any permanent or temporary impacts resulting from the proposed project.

c. Based on the Preliminary Jurisdictional Determination (SWCA, 2009) conducted for the project, a total of 0.1 acre is potentially subject to US Army Corp of Engineers (USACE) jurisdiction under Section 404 of the Clean Water Act (refer to Table 5 and Figure 6). Potential jurisdictional areas identified within the project study area include: (1) a seasonal wetland area within the southern portion of the property; (2) an "other waters" channel located at the terminus of the WWTP outfall; and (3) wetland features bordering the other waters channel. Water from the outfall structure and the spring have a nexus with the Salinas River which flows to the Pacific Ocean (a navigable water of the U.S.). Therefore, USACE will likely verify that a "significant nexus determination" is not required.

Under USACE guidance, jurisdiction over navigable waters and their adjacent wetlands is asserted where adjacent is defined as "bordering, contiguous, or neighboring." Therefore, finding a surface connection is not required to determine adjacency under this definition, as is the case with the seasonal wetland investigated within the southern portion of the property. This seasonal wetland is connected to the natural spring by a 5-inch PVC pipe, which continues under the field and outlets within the Salinas River. Prior to the installation of the pipe, the perennial spring likely provided a natural channel to the Salinas River; however, historical land uses in the area would have resulted in the removal of any natural channel evidence.

Table 5. Impacts to USACE Jurisdiction

	Total Area within Project Study Area	Permanent Impacts	Temporary Impacts
USACE Other waters of the U.S.	0.005 ha (0.01 ac)	0.0 ha (0.0 ac)	0.0008 ha (0.002 ac)
USACE Wetlands	0.04 ha (0.09 ac)	0.0 ha (0.0 ac)	0.0008 ha (0.002 ac)

Permanent impact calculations are only associated with the construction of the proposed outfall structure, which would include a spillway structure. Construction activity associated with this structure would likely fall under USACE Nationwide Permit #7: Outfall Structures and Associated Intake Structures. It is assumed that impacts to the seasonal wetland within the southern portion of the study area will be completely avoided, as this area is only a proposed staging area. Exclusion fencing would preclude heavy equipment and personnel from impacting this area.

California Department of Fish and Game (CDFG) is responsible for regulating projects that have potential to impact state jurisdictional wetlands. Unlike USACE, CDFG considers any area that supports any one of the three wetland indicators as a state wetland. CDFG jurisdictional areas were delineated by the evidence of a defined bed and bank, connectivity to relatively permanent waters, and evidence of hydrology. Within the vicinity of the outfall structure, top-of-bank features were mapped to delineate CDFG jurisdiction. This jurisdictional line extends past the project study area along the top of bank, occasionally extending further towards the WWTP to accommodate for riparian dripline vegetation. As delineated, a total of 0.5 acres of CDFG jurisdiction was mapped within the study area (refer to Table 6 and Figure 6).

Table 6. Impacts to CDFG Jurisdiction

	Total Area within Project Study Area	Permanent Impacts	Temporary Impacts
CDFG Jurisdiction	0.19 ha (0.47 ac)	0.08 ha (0.02 ac)	0.004 ha (0.01 ac)

Preparation of a Revegetation and Mitigation Plan is recommended to compensate for any permanent or temporary impacts resulting from the proposed project. The Revegetation and Mitigation Plan shall include restoration of all temporarily disturbed areas, and restoration at a minimum 1:1 ratio (0.02 acre riparian habitat) for permanent impacts. Areas suitable for restoration include the modified outfall area, and surrounding bank of the Salinas River.

d. No active nests were noted during surveys conducted in 2009. However, due to the transient nature of these species, project activities (e.g., vegetation removal, noise impacts) could have the potential to directly and/or indirectly impact a variety of nesting migratory bird species, including state and federally protected species (e.g., Cooper's hawk, osprey, bald eagle, least Bell's vireo, and yellow warbler). The potential for these impacts to occur are considered to be very low, considering the relatively small area (less than 300 square feet) of disturbance associated within the construction of the new outfall structure. Mitigation measures are recommended to avoid or minimize impacts to migratory bird species within the project study area. No roosting bats were observed during surveys conducted in 2009. However, pre-activity surveys are recommended to ensure that project activities do not impact roosting bat species.

e. Several live oak (*Quercus agrifolia*) and valley oak (*Quercus lobata*) trees protected by the City of Paso Robles Oak Tree Preservation Ordinance are present on the site. Based on the Tree Preservation Plan (A&T Arborists and Vegetation Management, 2010) prepared for the project, 63 coast live oak and valley oak trees are present within the parcel boundaries. Although the site plan for the operations building and pole barn is specifically designed to avoid oak trees, six oak trees would be removed and four oak trees would be impacted by the proposed project, as detailed in Table 7 below.

Mitigation measures included in the Tree Preservation Plan will be incorporated into the proposed project, including protection of oak trees to remain, and planting and maintenance of replacement oak trees.

Table 7. Impacts to Oak Trees

Tree Number	Species	Diameter at Breast Height (DBH)	Level of Effect
4	Q. agrifolia	14	Removal
6	Q. agrifolia	12	Removal
7	Q. agrifolia	20	Impacted by compaction
11	Q. lobata	8	Removal
12	Q. lobata	7	Removal
13	Q. lobata	7	Removal
14	Q. lobata	10	Removal
18	Q. lobata	38	Impacted by grading
55	Q. lobata	70	Impacted by grading
57	Q. lobata	48	Impacted by grading

f. Refer to a) through e) above.

Conclusion. Implementation of the proposed project would result in short-term impacts to sensitive habitats including individual oak trees, and riparian and wetland habitat. Based on the proximity of the project to the Salinas River, potentially significant impacts to special-status animal species including California red-legged frog, Western spadefoot toad, southwestern pond turtle, coast horned lizard, Monterey dusky-footed woodrat, nesting and roosting birds and bats, and Least Bell's vireo may occur. Implementation of mitigation measures listed below is recommended to avoid impacts to sensitive habitat and special-status species to the maximum

extent feasible, and reduce potential impacts by implementing construction crew training, environmental monitoring, avoidance of sensitive habitats to the maximum extent feasible, and restoration measures. Long-term impacts to the Salinas River, and associated habitats and species from the proposed project will be enhanced and less than significant, since the project will improve the quality of wastewater effluent currently discharged into the river. In addition to these measures, the City is required to obtain state and federal permits and authorizations for work within jurisdictional areas (described above).

Mitigation Measure BIO-1: Prior to construction, the City shall develop a Revegetation and Mitigation Plan due to the known presence of sensitive communities within the project study area. A qualified specialist shall be retained to prepare the Revegetation and Mitigation Plan, complete with success goals and a monitoring schedule as stipulated in the appropriate resource agency permit. Site preparation, timing, species utilized, planting installation, maintenance, monitoring, and reporting of the revegetation/restoration efforts shall be done in accordance with permit terms. The following measures shall be incorporated into the Revegetation and Mitigation Plan:

a. Prior to construction, locations/boundaries of sensitive communities shall be flagged by a qualified specialist. The areas to be protected shall be shown on all applicable construction plans.

b. Prior to any grubbing or vegetation removal, exclusionary fencing shall be erected at the boundaries of confirmed sensitive habitat areas to avoid equipment and human intrusion adjacent habitats, including the seasonal wetland feature located within the southern portion of the project study area. The fencing shall remain in place throughout construction activities.

c. Prior to construction, the City shall specify an onsite mitigation strategy in the Revegetation and Mitigation Plan to mitigate for impacts to sensitive communities which would be impacted. All wetland and riparian habitat areas temporary affected by proposed activities shall be restored. Restoration of permanently affected riparian areas shall occur at a minimum 1:1 ratio, and shall occur within the bank and riparian edge of the Salinas River. This onsite mitigation strategy shall follow permit conditions in the following areas:

    i. Suitable onsite mitigation locations based on soil type, hydrologic conditions, and proximity to existing habitat;
    ii. Seed collection requirements and protocol;
    iii. Soil seed bank conservation strategies;
    iv. Mitigation site preparation techniques;
    v. Seeding regime;
    vi. Mitigation site maintenance schedule, including weed abatement strategies, erosion control monitoring, etc.; and,
    vii. Monitoring requirements.

d. Following construction, areas of temporary disturbance shall be restored using topsoil salvage, and hydroseeding impacted areas with a seed mix characteristic of the plant species present onsite. Appropriate species for erosion control and eventual native shrub and herb

cover shall be utilized. Because native plant species are likely to be out-competed by non-native species, a ground-cover mix is recommended for impacted areas. Topsoil salvage methods and seed mixes shall be specified in the Revegetation and Mitigation Plan in accordance with permit conditions. Hydroseeded areas shall be monitored for the period and as stipulated in applicable permits.

Mitigation Measure BIO-2: Prior to construction, the City shall prepare and submit to the RWQCB or SWRCB a Notice of Intent (NOI) and prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the requirements of the State General Order related to construction projects. The SWPPP shall identify the selected stormwater management procedures, pollution control technologies; spill response procedures, and other means that will be used to minimize erosion and sediment production and the release of pollutants to surface water during construction. The City shall ensure that sedimentation and erosion control measures are installed prior to any ground disturbing activities. Re-vegetation of disturbed soil areas shall be facilitated by mulching, hydro-seeding or other methods, and should be initiated as soon as possible after completion of grading or trenching.

Mitigation Measure BIO-3: Prior to start of construction, a qualified specialist shall conduct a worker orientation program for construction staff. The training shall include information on and emphasizes the presence of special-status species and habitats identified within the project site during previous field surveys and pre-construction surveys, including but not limited to: oak trees, riparian and wetland habitat, steelhead trout, California red-legged frog, Western spadefoot toad, southwestern pond turtle, coast horned lizard, Monterey dusky-footed woodrat, nesting raptors and ground-nesting birds, Least Bell's vireo, and roosting bats. The training shall also include applicable local, City, California Department of Fish and Game, Regional Water Quality Control Board, and U.S. Army Corps of Engineers regulatory policies and provisions regarding their protection, and measures to be implemented to avoid and/or minimize impacts.

Mitigation Measure BIO-4: Construction monitoring shall be conducted by the City or a designated, qualified environmental monitor at a frequency and duration specified by the appropriate regulatory agency permit requirement, which may be required for the proposed project.

Mitigation Measure BIO-5: Prior to and during construction, the project shall implement erosion control best management practices. To reduce the potential for inadvertent release of sediment from construction areas to adjacent stream, drainage, wetland, or other sensitive resource areas, the contractor shall install appropriate erosion control devices (i.e., straw wattles, silt fence) around the perimeter of each work site, and other areas experiencing disturbance of the ground surface. Storm drains and gutters leading to drainage and wetland areas shall be protected by installation of erosion control measures or shall be blocked to prevent water entry. Erosion control devices shall be checked on a daily basis to ensure proper function.

Mitigation Measure BIO-6: Prior to construction, the City shall ensure preparation and implementation of a Spill Prevention and Contingency Plan that includes provisions for avoiding and/or minimizing impacts to sensitive habitat areas, including wetland and riparian areas and water bodies due to equipment-related spills during project implementation. The City shall ensure contamination of habitat does not occur during such operations. Prior to the onset of

work, the City shall ensure that the plan allows a prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measure to take should a spill occur. The plan shall include the following provisions:

a. All equipment fueling shall be conducted within the designated staging areas of the project site (see Figure 5). Such areas shall consist of roadway or ruderal habitat. At no time shall any equipment fueling be conducted within 100 feet of any wetland and riparian habitat area, or water body;

b. An overview of the containment measures to appropriately store and contain all fuels and associated petroleum products during the project shall be included in the plan. This shall include provisions for equipment staging areas, such as the need for drip pans underneath parked equipment and designated storage areas for fuel dispensing equipment with visqueen lining or similar and secondary containment; and,

c. A description of the response equipment that will be on-site during construction and exact procedures for responding to any inadvertent spills including miscellaneous fuel and/or lubricant spills from construction equipment and vehicles during operations. Final specifications of the Spill Prevention and Contingency Plan shall be reviewed and approved by the City prior to project implementation.

Mitigation Measure BIO-7: Prior to construction, the City shall provide a copy of the Tree Preservation Plan (2010) to the construction manager and retained arborist. In addition, the City shall ensure that all grading and construction plans include the following measures specific to oak tree protection:

a. Protection Fencing: Protection fencing shall be shown in orange ink on the grading plan. Protection fencing shall consist of 4-foot high chain link, snow or safety fence (staked with t-posts eight feet on center) at the edge of the critical root zone or line of encroachment for each tree or group of trees. The fence shall be installed prior to initiation of grading and construction activities. The City shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, shall inspect the fence placement once erected. The fence shall not be moved prior to arborist inspection and/or approval. If orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts shall be made to maximize the distance from each protected tree. Weather-proof signs shall be posted by the general contractor on the fences every 50 feet with the following information: "Tree Protection Zone. No personnel, equipment, materials, and vehicles are allowed. Do no remove or re-position this fence without calling [Name of Arborist, Phone Number].

b. Soil Aeration Methods: Soils within the critical root zone that have been compacted by heavy equipment and/or construction activities shall be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18 inches deep, 2-3 feet apart, with a 2-4 inch auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.

c. Chip mulch: All areas within the critical root zone of the trees that can be fenced shall receive a 4-6-inch layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.

d. Trenching within critical root zone: All trenching within the critical root zone of native trees shall be hand dug. All major roots shall be avoided whenever possible. All exposed roots larger than one-inch diameter shall be clean cut with sharp pruning tools and not left ragged. A mandatory meeting between the arborist(s) and grading contractor(s) shall occur prior to start of work.

e. Grading within the Critical Root Zone: Grading shall not encroach within the critical root zone unless authorized. Grading shall not disrupt the normal drainage pattern around the trees. Fills shall not create a ponding condition and excavations shall not leave the tree on a rapidly draining mound.

f. Exposed roots: Any exposed roots shall be re-covered the same day they were exposed. If this is not feasible, exposed roots shall be covered with burlap or another suitable material and wetted down twice per day until re-buried.

g. Equipment operation: Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Vehicles and equipment shall not be parked under the tree canopy, and all areas behind protection fencing are off-limits unless pre-approved by the arborist.

h. Existing surfaces: The existing ground surface within the critical root zone of all oak trees shall not be cut, filled, compacted, or pared, unless shown on the grading plans and approved by the arborist.

i. Construction materials and waste: No liquid or solid construction waste or materials shall be dumped or stored on the ground within the critical root zone of any native tree.

j. Arborist monitoring: An arborist shall be present for the following activities: pre-construction fence placement inspection; all grading and trenching within the critical root zone of the five trees to be impacted; any other encroachment the arborist feels necessary and as authorized by the City;

k. Pre-construction meeting and compliance letter: An on-site pre-construction meeting with the arborist, City, and earth moving construction crew shall be required. Prior to final inspection, a letter from the arborist shall be required verifying the health/condition of all impacted trees and providing any recommendations for any additional mitigation. The letter shall verify that the arborist were on site for all grading and/or trenching activity that encroached into the critical root zone of the selected native trees, and that all work done in these areas was completed to the standards set forth above.

l. Pruning: Class 4 pruning includes crown reduction pruning (reduction of tops, sides, or individual limbs). A trained arborist shall perform all pruning. No pruning shall take more than 25% of the live crown of any native tree. Any trees that may need pruning for road or structure clearance shall be pruned prior to any grading activities to avoid any branch tearing.

m. Landscape: All landscape within the critical root zone shall consist of drought tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around critical root zones, otherwise above ground drip-irrigation shall be used.

n. Utility placement: All utilities, sewer, and storm drains shall be placed down the roads and driveways and when possible outside the critical root zones. The arborist shall supervise trenching within the critical root zone. All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under or over roots larger than three inches in diameter.

o. Fertilization and cultural practices: As the project moves towards completion, the arborist may suggest either fertilization and/or mycorrihiza applications that will benefit tree health. Mycorrihiza offers several benefits to the host plant, including faster growth, improved nutrition, ground drought resistance, and protection from pathogens.

Mitigation Measure BIO-8: Up to four valley oak and two coast live oak trees may be removed. The combined diameter at breast height (dbh) of the valley oak trees to be removed would be 32 inches. The combined dbh of the coast live oak trees to be removed would be 26 inches. Within six months of completion of the upgraded facility, the City shall plant replacement trees of the same species as those removed at a replacement ratio of 25% of the combined diameter of the removed trees (i.e., four, two-inch diameter valley oak trees, and five, 1.5 inches diameter coast live oak trees). The planted trees shall be maintained by the City or designated arborist to ensure survival.

Mitigation Measure BIO-9: The seasonal wetland area located within the southern portion of the project study area shall be avoided. Grading, structures, landscaping, and other project related activities including equipment staging shall occur a minimum of 100 feet away from known or potential vernal pool (seasonal wetland) habitat. Before grading and/or construction activities commence, a qualified specialist shall establish exclusion zones around known vernal pool habitat and including the 100-foot buffer area. Project activities, including equipment and materials staging, shall occur outside of the exclusion zones, which shall remain in place throughout project activities.

Mitigation Measure BIO-10: Prior to construction, the City shall obtain all necessary permits, approvals, and authorizations from jurisdictional agencies. These may include, but may not be limited to: (1) Army Corps of Engineers, Section 404 Nationwide Permit 12; (2) Regional Water Quality Control Board, Section 401 Water Quality Certification; and, (3) CDFG, Section 1602 Streambed Alteration Agreement for activities within the tops of banks or outer edges of riparian canopies (whichever extends furthest from the streambeds) of drainages. The City shall adhere to all conditions included within these permits, approvals, and authorizations.

Mitigation Measure BIO-11: Prior to construction, all riparian and wetland areas shall be shown on all construction plans. All riparian vegetation planned for removal shall also be specified and shown on the construction plans.

Mitigation Measure BIO-12: Prior to construction in the ponds or outfall areas, the perimeter of the construction impact area shall be delineated (construction fencing, flagging, rope, etc.) to avoid inadvertent impacts to sensitive habitats and/or sensitive species. The fencing shall remain in place throughout construction activities and shall be maintained by the contractor.

Mitigation Measure BIO-13: Prior to construction, an approved specialist shall permanently remove, from the project area, any individuals of exotic species, such as bullfrogs, crayfish, and centrarchid fishes, to the maximum extent possible, in compliance with the California Fish and Game Code.

Mitigation Measure BIO-14: During construction, all trash that may attract predators shall be properly contained, removed from the work site and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.

Mitigation Measure BIO-15: To the extent practicable, construction activities within or adjacent to Salinas River shall be conducted during the dry season (May 1 through November 1), or as specified by resource agency permits and authorizations. This will reduce potential impacts to aquatic and semi-aquatic species that might be using the Salinas River and associated riparian vegetation as a movement/dispersal corridor.

Mitigation Measure BIO-16: Prior to construction, the City shall submit the name(s) and credentials of biologists to the USFWS/CDFG who would conduct activities in support of the proposed project, including but not limited to environmental monitoring, capture and re-location of southwestern pond turtles, western spadefoot toad, or coast horned lizard, and restoration of riparian and wetland habitat.

Mitigation Measure BIO-17: Unless otherwise specified in resource agency permits, at least 30 days prior to the onset of activities, the City shall obtain a letter of permission from CDFG to relocate any southwestern pond turtles, western spadefoot toads or coast horned lizards that are present within the project study area. In the event special-status species are observed, qualified specialists shall perform a capture and relocation effort. It is anticipated that coast horned lizards would potentially occupy the proposed staging area due to the presence of friable soils and the observation of a coast horned lizard just east of the project study area. If present, the qualified specialists shall capture and relocate any pond turtles, coast horned lizards, and spadefoot toads to safe locations outside of the area of impact, pursuant to CDFG conditions. Observations of SSC species or other special-status species shall be documented on CNDDB forms and submitted to CDFG upon project completion.

Mitigation Measure BIO-18: Unless otherwise specified in resource agency permits, at least 7 days prior to onset of activities, an approved specialist shall survey the work site for the presence of California red-legged frog, coast horned lizard, southwestern pond turtle, and western spadefoot toad. If special-status species, including mature individuals, tadpoles, or eggs are found, the approved specialist shall contact the USFWS and/or CDFG to determine if moving any of these life-stages is appropriate. In making this determination the USFWS or CDFG shall consider if an appropriate relocation site exists. If the USFWS or CDFG approves moving animals, the approved specialist shall be allowed sufficient time to move special-status species from the work site before work activities begin. Only USFWS-approved specialists shall participate in activities associated with the capture, handling, and monitoring of California red-legged frogs, unless otherwise specified in resource agency permits.

Mitigation Measure BIO-19: A qualified biologist shall monitor the work site pursuant to the approved Mitigation and Monitoring Program and resource agency permits. The qualified biologist shall be experienced in the identification and protection of California red-legged frogs, steelhead, coast horned lizard, southwestern pond turtle, western spadefoot toad, and least Bell's vireo. The qualified biologist shall be on-site to perform pre-construction surveys, instruct workers, monitor activities within sensitive habitat areas, and during relocation of special-status species. The qualified biologist shall have the authority to halt any action that might result in impacts that exceed the levels anticipated by the Corps, USFWS, and CDFG during review of the proposed action. If work is stopped, the Corps, USFWS, and CDFG shall be notified immediately by the qualified biologist. The qualified biologist shall also submit a report to the City documenting the implementation of mitigation measures.

Mitigation Measure BIO-20: Unless otherwise specified by resource agency permits, during construction, if the work site is to be temporarily dewatered by pumping, intakes shall be completely screened with wire mesh not larger than five millimeters to prevent California red-legged frogs from entering the pump system. Water shall be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. Upon completion of construction activities, any barriers to flow shall be removed in a manner that would allow flow to resume with the least disturbance to the substrate.

Mitigation Measure BIO-21: During construction, in order to reduce the potential for amphibious species and other wildlife species entering the construction area, standing water shall not be created as a result of construction activities.

Mitigation Measure BIO-22: Prior to construction, the project site shall be surveyed by a qualified specialist for identification of woodrat middens. In the event woodrat middens are observed, and the middens cannot be avoided during project activities, then the middens shall be removed as follows, under supervision of the specialist. Due to the health risks surrounding this activity, removal by hand is not recommended.

a. Upon completion of clearing the vegetation surrounding the woodrat shelter, the operator shall gently nudge the intact middens with equipment or long handled tools. The operators shall place their equipment within the previously cleared area and not within the undisturbed woodrat shelter area. The objective is to alarm the woodrats so that they evacuate the midden and scatter away from the equipment and into the undisturbed habitat.
b. Once the woodrats have evacuated the midden, the operator shall gently pick up portions of the structure with a front loader and move it to the undisturbed adjacent habitat. The objective of moving the structure is to provide the displaced woodrats with a stockpile of material to scavenge while they build a new midden. Jeopardizing the integrity of the structure is not an issue.

Mitigation Measure BIO-23: To prevent inadvertent harm to San Joaquin kit fox, prior to construction, a qualified specialist shall perform the following monitoring activities:

a. Within 30 days prior to initiation of site disturbance and/or construction, the specialist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol,

survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.

b. The qualified specialist shall conduct weekly site visits during site-disturbance activities (i.e., grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required San Joaquin kit fox mitigation measures. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by the specialist unless observations of kit fox or their dens are made on-site or the qualified specialist recommends monitoring for another reason. When weekly monitoring is required, the specialist shall submit weekly monitoring reports to the City.

   Prior to or during project activities, if any observations are made of San Joaquin kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified specialist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time the den is discovered, the qualified specialist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, all work shall stop until such time the U. S. Fish and Wildlife Service and Department determine that it is appropriate to resume work.

   If incidental take of kit fox during project activities is possible, before project activities commence, the applicant must consult with the U.S. Fish and Wildlife Service and the Department (see contact information below). The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

   In addition, the qualified specialist shall implement the following measures:

   1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:

      a) Potential kit fox den: 50 feet

      b) Known kit fox den: 100 feet

      c) Kit fox pupping den: 150 feet

   2. All foot and vehicle traffic, as well as all construction 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, and then shall be removed.

   3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified specialist.

Mitigation Measure BIO-24: During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the City, during which additional kit fox mitigation measures may be required.

Mitigation Measure BIO-25: During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified specialist and allowed to escape unimpeded.

Mitigation Measure BIO-26: During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.

Mitigation Measure BIO-27: Prior to, during, and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.

Mitigation Measure BIO-28: During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the City . In the event that any observations are made of injured or dead kit fox, the City shall immediately notify the U.S. Fish and Wildlife Service and the Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the Department for care, analysis, or disposition.

Mitigation Measure BIO-29: Prior to final inspection, should any long internal or perimeter fencing be proposed or installed around natural habitat areas, the City shall do the following to provide for kit fox passage:

a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".
b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.

Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines

Mitigation Measure BIO-30: If construction activities are conducted during the typical nesting bird season (February 15 through September 15) pre-construction surveys shall be conducted by a qualified specialist prior to any construction activity to identify potential bird nesting activity. If nesting activity is identified during the preconstruction survey process, the following measures shall be implemented:

a. If active nest sites of bird species protected under the Migratory Bird Treaty Act are observed within the project study area, then the project shall be modified and/or delayed as necessary to avoid direct take of the identified nests, eggs, and/or young;
b. If active nest sites of raptors and/or bird species of special concern are observed within the vicinity of the project site, then CDFG shall be contacted to establish the appropriate buffer around the nest site. Construction activities in the buffer zone shall be prohibited until the young have fledged the nest and achieved independence; and,
c. Active nests shall be documented by a qualified specialist, and a letter report shall be submitted to the City, USFWS, and CDFG, documenting project compliance with the MBTA and applicable project mitigation measures.

Mitigation Measure BIO-31: A qualified specialist shall conduct roosting bat surveys prior to any trimming or removal of trees. If roosting bats are present, work activities shall not occur within 100 feet of the active roost. If trees that provide bat roosting habitat are removed, the City shall consult with CDFG to determine the appropriate means of mitigation for loss of the roosting habitat. Removed trees shall be replaced by native trees that provide roosting habitat for bats.

Finding. Based on implementation of mitigation measures identified above, potential impacts to biological resources would be mitigated to a less than significant level.

E. Cultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☒	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
d. Disturb any human remains, including those	☐	☒	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
interred outside of formal cemeteries?				

This section contains setting information and conclusions/recommendations summarized from the *Cultural Resources Survey for the Paso Robles Wastewater Treatment Plant Upgrade Project* (SWCA, 2009). This report is confidential, and is on file with the City. The cultural resources study includes a cultural resources records search, Native American Sacred Lands File search, cultural resources survey of the project area, and the preparation of this cultural resources technical report documenting the results of the inventory and providing management recommendations.

Setting. California prehistory is divided into three broad temporal periods that reflect similar cultural characteristics throughout the state: Paleoindian Period (ca. 9000 – 6000 B.C.), Archaic Period (6000 B.C. – A.D. 500), and Emergent Period (A.D. 500 – Historic Contact). The Archaic is further divided into Lower (6000 – 3000 B.C.), Middle (3000 – 1000 B.C.), and Upper (1000 B.C. – A.D. 500) Periods. These divisions are generally governed by climatic and environmental variables, such as the drying of pluvial lakes at the transition from the Paleoindian to the Lower Archaic period.

The project area lies in the Central Coast Archaeological Region, which is one of eight arbitrary organizational divisions of the state. This region extends southward from Monterey Bay through Big Sur to Morro Bay, and includes southern Santa Cruz and Santa Clara Counties, all of San Benito and Monterey Counties, and most of San Luis Obispo County. The project area is typically considered to be in an area historically occupied by the Salinan. Surrounding native groups include the Esselen and Coastanoan to the north, the Southern Valley Yokuts to the east, and the Chumash to the south.

Post-contact history for the state of California generally is divided into three specific periods: the Spanish Period (1769–1822), the Mexican Period (1822–1848), and the American Period (1848–present). Although there were brief visits by Spanish, Russian, and British explorers from 1529–1769, the beginning of Spanish settlement in California occurred in 1769 with a settlement at San Diego and the first (Mission San Diego de Alcala) of 21 missions established from 1769–1823. The Mexican Period is marked by an extensive era of land grants, most of which were in the interior of the state, and by exploration by American fur trappers west of the Sierra Nevada Mountains.

The City of El Paso de Robles (Spanish for "the pass of oaks," today often called simply Paso Robles) is situated on the former lands of the Rancho Paso de Robles. Once an outpost of the Mission San Miguel, the area has long been known for the many hot springs scattered throughout the rancho lands. The springs were well known to the Native Americans, who referred to the region as "Heaven's Spot," because of the springs reputed healing powers. The Franciscan Fathers also believed the waters had special properties, claiming the springs could cure everything from arthritis to syphilis.

In 1844, Mexican Governor Micheltorena granted the 25,993-acre Rancho Paso de Robles to Pedro Navarez, who used the land to graze sheep and cattle. One year later, Navarez sold the property to Petronillo Rios. In 1857, Rios sold the rancho to a partnership consisting of Daniel and James Blackburn and Lazare Godchaux. Three years after purchasing the rancho, lands were divided up, with the present-day city boundaries falling under the holdings of the Blackburn brothers and brother-in-law, Drury James, who purchased Godchaux's interest in the rancho.

Improvements at the rancho began immediately. James Blackburn built a residence near the old rancho adobe. The first bathhouse was established in 1864, near what is now the northeast corner of 10th and Spring Streets. Between 1871 and 1873, the bathhouse was expanded several times, to include rooms for billiards, tea, and reading, as well as areas for lawn bowling, tennis, and golf. In 1886, Blackburn and James, hired engineer F.P. McCray of Hollister to lay out a plan to subdivide lots surrounding the hotel and establish the town of Paso Robles.

The Southern Pacific Railroad arrived in October 1886, marking an important turning point in the development of Paso Robles. Rail transportation gave the town the opportunity to expand significantly, opening the resort to people previously unable to endure long stage coach rides. Additionally, the arrival of the railroad allowed the town to expand its farming operations for long-distance shipping of crops, livestock, and byproducts. By the late 1800s the main agricultural crop of Paso Robles was almonds, earning the town the moniker "Almond City".

As families arrived, lots were subdivided and sold. The Blackburns set aside land at the center of town to establish a civic center, school, churches, and parks. By 1889, when Paso Robles was incorporated, the town had grown from 523 to nearly 800 residents. By the 1940s, the population of El Paso de Robles had soared to over 3,000 residents. Following the end of World War II, population increases prompted the city to annex lands east of the Salinas River in an effort to expand the city boundaries. Since the 1950s, the city has continued to expand and grow its population, while maintaining a diverse economy that includes agriculture and industry.

Federal Cultural Resources Regulations. Cultural resources are considered during federal undertakings chiefly under Section 106 of the NHPA of 1966 (as amended) through one of its implementing regulations, 36 CFR 800 (Protection of Historic Properties), as well as the National Environmental Policy Act (NEPA). Properties of traditional religious and cultural importance to Native Americans are considered under Section 101(d)(6)(A) of NHPA. Other federal laws include the Archaeological Data Preservation Act of 1974, the American Indian Religious Freedom Act (AIRFA) of 1978, the Archaeological Resources Protection Act (ARPA) of 1979, and the Native American Graves Protection and Repatriation Act (NAGPRA) of 1989, among others.

Section 106 of NHPA (16 United States Code [USC] 470f) requires federal agencies to take into account the effects of their undertakings on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register of Historic Places (NRHP) and to afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on such undertakings (36 CFR 800.1). Under Section 106, the significance of any adversely affected cultural resource is assessed and mitigation measures are proposed to reduce any impacts to an acceptable level. Significant cultural resources are those resources that are

listed on, or are eligible for listing on the NRHP per the criteria listed at 36 CFR 60.4 (ACHP 2000).

State Cultural Resources Regulations. CEQA requires a lead agency to determine whether a project may have a significant effect on historical resources. Sections 21083.2 and 21084.1 of the Statutes of CEQA, PRC Section 5024.1, and Section 15064.5 of the Guidelines were used as the guidelines for the cultural resources study (Governor's Office of Planning and Research 1998). PRC Section 5024.1 requires that any properties that can be expected to be directly or indirectly affected by a proposed project be evaluated for California Register of Historical Resources (CRHR) eligibility. The purpose of the register is to maintain listings of the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from material impairment and substantial adverse change. The term "historical resources" includes a resource listed in, or determined to be eligible for listing in, the CRHR, a resource included in a local register of historical resources, and any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant (Section 15064.5[a] of the Guidelines). The criteria for listing properties in the CRHR were expressly developed in accordance with previously established criteria developed for listing in the NRHP.

Records Search and Field Surveys. The CCIC records search indicates that 16 cultural resources studies have been conducted within a 0.5-mile radius of the project site, including a negative survey that included a majority of the project area. Because this survey took place 12 years ago, the entire property was resurveyed during the current study. Another study, which was also negative, was immediately adjacent to the project area. Seventeen cultural resources have been previously recorded within a 0.5-mile radius of the project area. All of these are historic built environment resources, and none are located within the project area. During the field surveys, no archaeological resources were observed.

One cultural resource was identified within the project area: the Schauf Property, El Paso de Robles Wastewater Treatment Plant. This historic-period resource is highly disturbed and as a result, the recordation and National Register of Historic Places (NRHP) eligibility evaluation of the property focused on three of its elements: the barn, refuse scatter, and treatment plant office building.

The project site was used for farming until the mid-1950s. In addition to its use as a farm, the property was also reportedly used as a trash dump (1930s-1950s). The property was the Schauf residence and farm until it began to transition into the El Paso de Robles Wastewater Treatment Plant, beginning in the late 1940s. The Schauf residence is no longer extant. Early facilities included construction of the office building and first clarifier, both constructed circa 1954. By 1959, aerial photographs depict the office building and first clarifier, as well as dirt roads leading to the plant (replaced in 1970). From 1959 to the late 1980s, the plant was expanded and improved.

The earliest extant building on the property is a wood-frame vernacular style barn, likely constructed sometime in the 1930s. The barn is rectangular in plan and rests on a cobble and concrete foundation. The front-gabled roof has overhanging eaves with exposed rafter tails and is

sheathed with corrugated metal roofing. The walls are clad in vertical board siding. The primary façade faces west and features a pair of side-hinged wood doors at the center of the elevation. Additional side-hinged, wood doors are featured at both façade ends. The openings on the front elevation have been partially covered with corrugated metal siding (date unknown). The barn faces west towards Sulphur Springs Road with a gravel entrance and is surrounded by a chain link fence. Mature oak and elm trees surround the barn. A small concrete block bathhouse is located north of the barn and is of recent construction. A sparse refuse scatter is located south of the barn. The area has been heavily disturbed by disking and grading. This trash deposit consists of a small surface scatter of glass, ceramic, and metal fragments. The sparse scatter, which measures approximately 250 feet north-south by 125 feet east-west, includes numerous glass, ceramic and metal fragments as well as several intact bottles and one ceramic electrical insulator. Most of the materials appear to date from the mid-twentieth century. Based on the known history of the property, it is likely that these artifacts represent domestic trash associated with the Schauf family and date to the 1930s–1950s.

The office building (constructed 1954) is a single story utilitarian style building with a rectangular plan. The walls are clad in concrete block painted white. It has a front-gabled roof with short eaves that is sheathed in Mission clay tile. The front end gable projects out slightly from the entry and is supported by wood posts. A brick planter extends out from the north end of the front of the building. Windows are multi-light, metal frame, casement windows. The north and south elevations both feature a single wood door with glass light. The building is situated at the center of the wastewater plant, and surrounded by landscaping.

Impacts.

a. Although the property has been active throughout the twentieth century, it retains only two buildings and an associated trash dump that are more than 50 years of age. The simple vernacular-style wood-frame barn and associated trash scatter, which both date from the 1930s are the only resources associated with the early farming use of the property. The barn is a typical example of an altered vernacular barn; a common resource type in the region dating from the city's twentieth century agricultural history. The remaining buildings together, do not constitute an intact farmstead, because of the loss of the Schauf residence and the alteration of the agrarian setting by construction and operation of the wastewater treatment plant. The trash scatter is a simple mid-twentieth century refuse deposit, a ubiquitous resource type often found near rivers or streams. This refuse scatter is small, appears to have very little data potential, and has been disturbed by decades of agricultural activity. The remaining extant buildings and structures on the subject property were constructed between approximately 1954 and 2004, in support of the wastewater treatment facility. The office building, constructed in 1954, is a typical example of a utilitarian building. Neither the property, nor any of the individual buildings, structures, sites, or features is eligible for listing in the NRHP or the CRHR, either separately or as a contributor to a larger historic district.

The property is not associated with any significant event or trend in American history. The property has not been directly associated with persons significant in our past. The buildings and structures on the property are utilitarian resources that are ubiquitous to

industrial operations; they do not embody the distinctive characteristics of a type, period, or method of construction, represent the work of a master, nor do they represent a significant and distinguishable entity whose components lack individual distinction. Lastly, the property is not expected to yield important information about prehistory or history. Therefore the property is not considered a historic property, as defined in Section 106 of the National Register of Historic Places, nor does it qualify as a historical resource under the California Environmental Quality Act.

b. Based on proposed construction plans, 90% of the construction work will be performed within the existing footprint of the WWTP site. 95% of the project earthwork is associated with the activated sludge process and secondary clarifiers which are situated on ground that has already experienced major earthwork and construction impacts from existing WWTP facilities construction. Two areas of construction are outside the existing WWTP footprint. One is the construction of the Proposed Outfall "C" structure which is located on the west bank of the Salinas River. The second is the location of the Proposed Operations Building and associated parking lot which will be located in the old barnyard for the Schauf farm. This site has been impacted by human activities associated with the farming operation dating back to the 1930s, prior to the WWTP operation.

Historic research conducted for the project indicates that humans have inhabited the region since the pre-historic period, largely due to the numerous hot springs scattered throughout the Paso Robles area. The project area is located between El Camino Real and the Salinas River and includes a hot spring. As a result, there remains a potential for significant buried prehistoric or historic resources to be found within the project area.

To ensure that inadvertent disturbance to unknown sensitive cultural resources is avoided, monitoring of initial grading and excavation activities within native soils is recommended by SWCA archaeologists (SWCA, 2009). In the event cultural resources are observed during monitoring activities, a Native American monitor from the Salinian and/or Chumash Native American Tribes, or a rotation of Native American monitors, shall be present for further ground-disturbing activities. In the event that human remains are discovered, State of California Health and Safety Code Section 7050.5 would be followed.

c. The project site is located within the alluvial plain of the Salinas River, and it is unlikely that soils or bedrock containing significant paleontological resources would be disturbed by proposed grading and construction activities.

d. Refer to b) above.

Conclusion. The project area is considered moderately sensitive for the discovery of prehistoric or ethnohistoric period archaeological deposits, as well as for the discovery of historic material or deposits related to the numerous hot springs scattered throughout the Paso Robles area. Research conducted for the project indicates that people have continuously inhabited the region since the prehistoric period. The potential for the existence of buried archaeological materials

within native soils is considered high. Monitoring during initial ground disturbing activities within native soils is recommended to ensure that any unknown, discovered resources are protected.

Mitigation Measures CULT-1: A qualified archaeologist shall monitor initial ground disturbing construction activities within native soils. If buried cultural resources, such as historic period artifacts or nonhuman bone, are inadvertently discovered during ground-disturbing activities, work will stop within 100 feet of the find until the qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures. Treatment measures typically include development of avoidance strategies, capping with fill material, or mitigation of impacts through data recovery programs such as excavation or detailed documentation. If cultural resources are discovered during construction activities, the construction contractor will verify that work is halted until appropriate, site-specific measures, such as those listed above, are implemented. The City of Paso Robles will approve the measures to be implemented before construction activities are resumed in the area of the find.

Mitigation Measure CULT-2*:* If human remains are discovered or recognized during site preparation, grading, or construction, there will be no further excavation or disturbance of the discovery site or any nearby area reasonably suspected to overlie adjacent human remains until the San Luis Obispo County coroner has been informed and has determined that no investigation of the cause of death is required. If the remains are determined by the coroner to be of Native American origin, the descendants will be identified and notified through the Native American Heritage Commission.

Mitigation Measure CULT-3: Upon completion of all monitoring/mitigation activities, the consulting archaeologist shall submit a report to the City and Central Coast Information Center summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

Finding. Based on implementation of mitigation measures identified above, potential impacts would be mitigated to less than significant.

F. Geology and Soils

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii. Strong seismic ground shaking? iii. Seismic-related ground failure, including liquefaction iv. Landslides?	☐	☒	☐	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

Setting. The WWTP is located on a gently sloped site. Elevations of plant facilities vary from 670 to 693 feet above sea level. The WWTP site is underlain by flood plain and river channel deposits consisting of interbedded sand, gravel, silt and clay sediments of varying thicknesses and consistencies. Stiff, well consolidated sediments of the Paso Robles formation typically underlie the alluvium at depths less than about 50 feet.

The WWTP site is located within a seismically active area of Central California that is prone to moderate to large earthquakes. Three active faults in close proximity to the WWTP site are the Rinconada Fault (2 miles southwest), San Andreas Fault (22 miles east), and Hosgri-San Simeon Fault (24 miles west).

Seismic Hazards

Areas with seismic (earthquake) hazards are identified by earthquake fault zones as established by the Alquist-Priolo Earthquake Fault Zone Act of 1972. The California Geological Survey (CGS, formerly Division of Mines and Geology, CDMG) classifies faults as active, potentially active, or inactive according to standards developed for implementation of the Alquist-Priolo Earthquake Fault Zone Act. A fault that has exhibited surface displacement within the Holocene Epoch (the last 11,000 years) is defined as active. A fault that has exhibited surface displacement during Quaternary time (i.e., within the past 1.6 million years) but which cannot be proven to have moved or not moved during Holocene time is defined as potentially active.

The surface trace of the Rinconada fault is mapped approximately 1 ½ miles southwest of the WWTP. According to the California Geological Survey (CGS) 1996 California fault database, the Rinconada fault is a right lateral-strike slip fault. The Rinconada fault is not zoned by the State of California Alquist-Priolo Earthquake Fault Zone Act.

Groundshaking. Groundshaking (or seismic shaking) caused by fault movement during an earthquake has the potential to result in the damage or destruction of buildings, infrastructure, and possible injury or loss of life. Groundshaking may occur as a result of movement along a fault located within the City or along a more distant fault. The intensity of groundshaking in a particular area is dependent on several factors, including: the earthquake magnitude, distance from the epicenter, duration of strong ground motion, local geologic conditions, and the fundamental period of the structure. Groundshaking can also trigger secondary seismic phenomenon such as liquefaction, lateral spreading, seismically induced settlement and slope instability, tsunami and seiche, and other forms of ground rupture and seismic responses.

Fault Rupture. Fault rupture refers to displacement of the ground surface along a fault trace, and is a potential hazard where future development would cross or be constructed astride known fault zones. Damage associated with fault-related ground rupture is normally confined to a narrow band along the trend of the fault, and fault displacement usually involves forces so great that it is generally not feasible (structurally and economically) to design and build structures to accommodate this rapid displacement. The greatest risk for fault displacement is generally thought to be along historically active and potentially active faults.

Liquefaction. Liquefaction is a phenomenon in which the strength and stiffness of a soil is reduced by earthquake shaking. Soils transform from a solid to a liquid state as a result of rapid loss of sheer strength and increased pore water pressure induced by earthquake vibrations.

Based on review of the existing geotechnical data, the project site is underlain by a variable thickness of artificial fill and overlying alluvium over the Paso Robles Formation. It appears that the overlying alluvium may contain layers of potentially liquefiable soils under strong ground motion shaking or at levels used for design under the 2007 California Building Code (CBC).

Tsunamis and Seiches. Tsunamis, also called seismic sea waves, are a series of waves generated by large, violent earthquakes occurring near the ocean. Seiches are oscillations of enclosed and semi-enclosed bodies of water, such as bays, lakes, or reservoirs, due to strong ground motion from seismic events, wind stress, volcanic eruptions, and local basin reflections of tsunami. Seiches could occur in any reservoir.

Landslide Hazards

Slope instability may result from natural processes, such as the erosion of the toe of a slope by a stream, or by ground shaking caused by an earthquake. Slopes can also be modified artificially by grading, or by the addition of water or structures to a slope. Areas that are generally prone to landslide hazards include: previous landslide locations, the bases of steep slopes, the bases of drainage channels, and developed hillsides where leach-field septic systems are used.

Clean Water Act. In 1987, the Federal Water Pollution Control Act (also referred to as the Clean Water Act) was amended to add Section 402(p) which establishes a framework for regulating municipal and industrial storm water discharges under the National Pollutant Discharge Elimination System (NPDES) Program. On December 8, 1999, the U.S. Environmental Protection Agency published final regulations that establish storm water permit application requirements for construction projects that encompass one or more acres of soil disturbance. In 2003, the State Water Resources Control Board (SWRCB) adopted a statewide General Permit that applies to all storm water discharges associated with construction activity. The General Permit requires all dischargers, where construction activities disturb one acre or more, to:

1. Develop and implement a SWPPP which specifies Best Management Practices (BMPs) that will prevent all construction pollutants from contacting storm water, and with the intent of keeping all products of erosion from moving off site into receiving waters.
2. Eliminate or reduce non-storm water discharges to storm sewer systems and other waters of the nation.
3. Perform inspections of all BMPs.

Construction activity subject to the General Permit includes clearing, grading, disturbances to the ground such as stockpiling, or excavation that results in soil disturbances of at least one acre of total land area. Construction activity that results in soil disturbances of less than one acre is subject to this General Permit if the construction activity is part of a larger common plan of development that encompasses one or more acres of soil disturbance or if there is significant water quality impairment resulting from the activity.

All dischargers must prepare and implement a SWPPP prior to disturbing a site. The SWPPP must be implemented at the appropriate level to protect water quality at all times throughout the life of the project. Non-storm water BMPs must be implemented year round. The SWPPP must remain on the site while the site is under construction, commencing with the initial mobilization and ending with the termination of coverage under the permit. The SWPPP has two major objectives: (1) to help identify the sources of sediment and other pollutants that affect the quality of storm water discharges, and (2) to describe and ensure the implementation of BMPs to reduce or eliminate sediment and other pollutants in storm water as well as non-storm water discharges. The SWPPP must include BMPs which address source control and, if necessary, must also include BMPs which address pollution control. Required elements of a SWPPP include: (1) site description addressing the elements and characteristics specific to the site, (2) descriptions of BMPs for erosion and sediment controls, (3) BMPs for construction waste handling and disposal, (4) implementation of approved local plans, (5) proposed post-construction controls, including description of local post-construction erosion and sediment control requirements, and (6) non-storm water management.

Another major feature of the General Permit is the development and implementation of a monitoring program. All construction sites are required to conduct inspections of the site prior to anticipated storm events and after actual storm events. During extended storm events, inspections must be made during each 24-hour period. The goals of these inspections are (1) to identify areas contributing to a storm water discharge; (2) to evaluate whether measures to reduce pollutant loadings identified in the SWPPP are adequate and properly installed and functioning in accordance with the terms of the General Permit; and (3) whether additional control practices or corrective maintenance activities are needed. Equipment, materials, and workers must be available for rapid response to failures and emergencies. All corrective maintenance to BMPs must be performed as soon as possible, depending upon worker safety. Each discharger must certify annually that the construction activities are in compliance with the requirements of this General Permit. Dischargers who cannot certify annual compliance must notify the appropriate RWQCB.

Impacts.

a, c – d. There are two known fault zones on either side of the Salinas River valley. The Rinconada Fault system runs on the west side of the valley, and grazes the City on its western boundary. The San Andreas Fault is on the east side of the valley and is situated about 30 miles east of Paso Robles. The City recognizes these geologic influences in the application of the Uniform Building Code to all new development within the City. Soils and geotechnical reports and structural engineering in accordance with local seismic influences would be applied in conjunction with the proposed project. Based on standard conditions of approval, the potential for fault rupture and exposure of persons or property to seismic hazards is not considered significant. There are no Alquist-Priolo Earthquake Fault Zones within City limits. Due to the location and topography of the project site, the landslide risk is low (County of San Luis Obispo, 1999).

The proposed structure will be constructed to current UBC codes. Impacts resulting from ground shaking and liquefaction hazards would be mitigated to less than significant through compliance with existing codes, including engineered site preparation, and adequate structural design. Any proposed construction would require the adoption of appropriate engineering design in conformance with geotechnical standards for construction.

b. Onsite soils are considered to be moderately erodible (NRCS, 2009). Due to the gentle slope of the topography, significant erosion is not expected; however, due to the presence of the Salinas River immediately to the east, construction best management practices (BMPs) would be implemented to avoid and minimize soil loss and erosion with a Construction Stormwater Pollution Prevention Plan (SWPPP) in conjunction with project's final design and grading plan.

e. No septic tanks or alternative wastewater disposal systems are proposed as part of the project. No impact would occur.

Conclusion. Risk from geologic and seismic hazards is low, and the proposed construction would require the adoption of appropriate engineering design in conformance with geotechnical standards for construction. Implementation of statutorily required standard measures, including the preparation and implementation of BMPs and a SWPPP would reduce impacts to less than significant.

Mitigation Measure GEO-1: A final geotechnical engineering report shall be prepared and recommendations regarding geologic, seismic, and liquefaction conditions contained therein shall be incorporated into the final engineered design of the facility.

Finding. Based on implementation of mitigation measures identified above, and compliance with existing regulations, potential impacts would be mitigated to less than significant.

G. Hazards and Hazardous Materials

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

Setting. As defined in Chapter 6.95 of Division 20 of the California Health and Safety Code, Section 25501(o), a hazardous material is "…any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential

hazard to human health and safety or to the environment if released into the workplace or the environment. Hazardous materials include, but are not limited to, hazardous substances, hazardous waste, and any material which a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment."

Federal Water Pollution Control Act of 1972 (Clean Water Act). The Clean Water Act governs the control of water pollution in the United States. This Act includes the National Pollutant Discharge Elimination System (NPDES) program, which requires that permits be obtained for point discharges of wastewater. This Act also requires that storm water discharges be permitted, monitored, and controlled for public and private entities.

Resource Control and Recovery Act of 1974 (RCRA). RCRA was enacted as the first step in the regulation of the potential health and environmental problems associated with solid hazardous and non-hazardous waste disposal. RCRA, and the formation of the U.S. Environmental Protection Agency (EPA) to implement the Act, provide the framework for national hazardous waste management, including tracking hazardous wastes from point of origin to ultimate disposal.

Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA). Under CERCLA, owners and operators of real estate where there is hazardous substances contamination may be held strictly liable for the costs of cleaning up contamination found on their property. No evidence linking the owner/operator with the placement of the hazardous substances on the property is required. CERCLA, also known as Superfund, established a fund for the assessment and remediation of the worst hazardous waste sites in the nation.

Porter-Cologne Water Quality Control Act (Division 7 of the California Water Code). The Porter-Cologne Act established a regulatory program to protect water quality and protect beneficial uses of the state's waters. The Porter-Cologne Act also established the State Water Resources Control Board and nine regional boards as the main state agencies responsible for water quality in the state. Discharges of wastes (including spills, leaks, or historical disposal sites) where they may impact the waters of the state are prohibited under the Porter-Cologne Act, including the discharge of hazardous wastes and petroleum products. The assessment and remediation of these waters are regulated by the regional boards. The Central Coast Regional Water Quality Control Board administers such waters in the vicinity of the proposed Project.

Title 22, California Code or Regulations. Title 22 of the California Code of Regulations regulates the use and disposal of hazardous substances in California. It contains regulatory thresholds for hazardous wastes which are more restrictive than the federal hazardous waste regulations.

California Health and Safety Code Sections 25500 et seq. The California community right-to know hazardous material law applies to any facility that handles any hazardous material (chemical, chemical-containing products, hazardous wastes, etc.) in a quantity that exceeds

reporting thresholds. The basic requirements of hazardous materials and community right-to-know regulations for covered facilities include:

- Determining whether the facility handles hazardous materials;
- Immediate reporting of releases of hazardous materials;
- Submission and update of a Hazardous Materials Business Plan (including an accurate chemical inventory, site map showing hazardous materials storage locations, emergency response plan, and notification procedures) as required by the local administering agency;
- Notification of the local administering agency of the handling of specified quantities of acute hazardous materials and submission of a Risk Management Plan (RMP) as required;
- Annual submission for manufacturing facilities of a Toxic Chemical Release Report (Form R) if threshold amounts of certain toxic chemicals are made, or processed for use; and,
- Requirements for hazardous materials storage imposed by local administering agencies, fire departments, and California Occupational Safety and Health Administration (Cal/OSHA) standards.

Local Regulations. The San Luis Obispo County Division of Environmental Health conducts inspections to ensure proper handling, storage, and disposal of hazardous materials and proper remediation of contaminated sites. In addition, the Hazardous Materials Release Response Plans and Inventory Law of 1985 (Business Plan Act) requires that any business that handles or stores hazardous materials prepare a Hazardous Materials Business Plan. Under this law, businesses are required to submit inventories of onsite hazardous materials and wastes and locations where these materials are stored and handled. This information is collected and reviewed by the SLODEH for emergency response planning.

Impacts.

a. Heavy equipment related to trenching, grading, and construction of the proposed project would require the use of fuel and petroleum based lubricants, and would requires regular maintenance of equipment. Both the frequency of maintenance and the large volumes of fluids required to service the equipment increase the risk of accidental spillage. However, as discussed in Section VI (Geology and Soils), statutorily required standard measures, including the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) that meets the requirements of the Statewide General Construction Permit will ensure that potential impacts from accidental leaks or spills are less than significant.

Operation of the project would involve the transport, storage, use or disposal of hazardous materials including diesel fuel, ferric chloride, ammonia, and sodium hypochlorite. The project would be required to conform to local, state and federal laws regarding the transport, storage, use, and disposal of hazardous materials. In addition, the City is required to comply with local laws, and submit a Hazardous Materials Business Plan to the County Environmental Health Department. Based on compliance with existing standards, operational impacts would be less than significant.

b. During any earth-moving operations (grading, trenching, etc.) within the existing facility areas, there is a possibility that unexpected hazardous materials could be encountered or unearthed. Hazardous materials in the construction area could create a risk to workers and the general public during excavation and transport. If contaminated soil is encountered and has to be removed from the construction area, it must be transported according to State and Federal regulations and be replaced with imported soil approved for backfilling if necessary. In these cases, the contractor must comply with all applicable regulations..

Accidental releases of hazardous materials used on-site during operation of the wastewater treatment plant (i.e., fuels, lubricants, and disinfecting compounds such as chlorine) would have the potential to adversely affect onsite workers, public health, and/or the environment. Spillage of fuels or chemicals could result in a threat of fire or explosion or other situations that may pose a threat to human health and/or the environment. Releases could occur as a result of vehicular accidents, equipment malfunction, or improper storage. The San Luis Obispo County Department of Community Health, Environmental Division, requires a Hazardous Materials Business Plan for operation of the WWTP. Cal/OSHA requires construction projects to implement safe hazardous material handling, transfer, storage, and maintenance. Projects are required to have designated staging/maintenance areas, standard operating procedures, and emergency response planning for the use of hazardous materials onsite. Based on compliance with existing standards, impacts are considered less than significant.

c. The proposed project is not located within 0.25 mile of a school.

d. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (California Department of Toxic Substances Control Hazardous Waste and Substances Site List – Site Cleanup [Cortese List]; accessed March 2009).

e – f. The project site is not located within two miles of any airport, any airport safety zones nor the Airport Review area. The project site is not located within the vicinity of a private airstrip. No impact would occur.

g. The proposed project would not impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No impact would occur.

h. The project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. The project site is located in an urbanized area. Open land that may be subject to wildland fire is located east of the project site, on the opposite side of the Salinas River. The river may act as a buffer for any wildland fires that may occur in this area. Impacts from wildland fires are not considered significant.

Conclusion. Impacts resulting from storage and use of hazardous materials on the project site would be reduced to less than significant with incorporation of mitigation measures.

Mitigation HM-1: Prior to initiation of construction activities, the Contractor shall prepare and submit to the City a contingency plan for handling hazardous materials, whether found or introduced on site during construction. This plan shall include standard construction measures as specified in local, state and federal regulations for hazardous materials, removal of on-site debris, and confirmation of presence of pipelines on-site. At a minimum, the following measures shall be included in the contingency plan:

a. If contaminated soils or other hazardous materials are encountered during any soil moving operation during construction (e.g., trenching, excavation, grading), construction shall be halted and the HMCP implemented.
b. Instruct workers on recognition and reporting of materials that may be hazardous.
c. Minimize delays by continuing performance of the work in areas not affected by hazardous materials operations.
d. Identify and contact subcontractors and licensed personnel qualified to undertake storage, removal, transportation, disposal, and other remedial work required by, and in accordance with, laws and regulations.
e. Forward to engineer, copies of reports, permits, receipts, and other documentation related to remedial work.
f. Notify such agencies as are required to be notified by laws and regulations within the time stipulated by such laws and regulations.
g. File requests for adjustments to contract time and contract price due to the finding of hazardous materials in the work site in accordance with conditions of contract.

Mitigation Measure HM-2: Prior to operation, the Contractor shall complete and submit a Hazardous Materials Business Plan to City staff or their designee, and the County Department of Environmental Health. As a component of the Hazardous Materials Business Plan, detailed procedures for handling and storage of hazardous materials used on site, and response to emergency or accidental releases of hazardous materials used on site shall be included.

Finding. Based on implementation of mitigation measures identified above, potential impacts would be mitigated to less than significant.

H. Hydrology and Water Quality

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
support existing land uses or planned uses for which permits have been granted)?				
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial ***erosion or siltation*** on- or off-site?	☐	☐	☒	☐
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in ***flooding*** on- or off-site?	☐	☒	☐	☐
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f. Otherwise substantially degrade water quality?	☐	☒	☐	☐
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☒	☐
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☒	☐

Setting.

Surface water features

The Salinas River is located adjacent to and east of the project site. The City's current NPDES permit authorizes the WWTP to discharge up to 4.9 mgd of treated wastewater to the Salinas River. Storm water drainage at the WWTP generally flows from southwest to northeast. The site drainage conveyance system consists of various culverts, catch basins, pipes, and storm drains that direct storm water flows from the plant to the effluent holding ponds. Underdrain flow from the sludge drying beds is collected at the decant pump station and pumped to the

headworks. Storm water runoff from some areas of the plant may be pumped to the head of the plant for treatment.

Groundwater resources

Relatively shallow groundwater conditions are associated with the Salinas River. Groundwater was encountered at a depth of about 15 to 20 feet in previous explorations performed near the site.

Influent water quality

Influent water quality is shown in Table 8. Numbers are based on data collected from 2006 through 2008. Currently, the City's raw water source of drinking water consists solely of groundwater with a TDS of 530 mg/L. Widespread use of water softeners by residential, industrial, and commercial increases the concentration of TDS, sodium and chloride of influent water to WWTP. Decrease use of water softeners may decrease influent TDS.

Table 8. Influent Water Quality

Parameter	Average	Standard Deviation
Temperature	70 °F	4.8
pH	7.6	0.2
Composite biochemical oxygen demand (BOD)	302 mg/L	58
Total suspended solids (TSS)	299 mg/L	44.
Grab Sample BOD	288 mg/L	57
Grab Sample TSS	297 mg/L	34
Grab Sample chemical oxygen demand (COD)	623 mg/L	157
Grab Sample total ammonia (as N)	32 mg/L	10
Grab Sample total Kjeldahl nitrogen (TKN)	43.7 mg/L	3.7

Source: Black and Veatch, 2009

Water supplies for service area

Currently, the City's raw water source of drinking water consists solely of groundwater. The City is planning to construct a water treatment plant (WTP) to treat surface water received from Lake Nacimiento, located approximately 15 miles northwest of the project site. With the completion of the new WTP, the City's drinking water will be a combination of the two sources. However, the initial benefits from Lake Nacimiento water will be minimal due to the phased implementation of the WTP project.

Effluent quality

Effluent water quality is shown in Table 9. The existing WWTP does not consistently meet the ammonia water quality objective and could potentially cause aquatic life toxicity. The City's new waste discharge permit will likely include new limits for total nitrogen, so the upgraded WWTP must include nitrogen removal.

Table 9. Summary of Paso Robles WWTP Effluent Quality

Problem and Related Constituent	Paso Robles WWTP Effluent([7])	Water Quality Guidelines		
		No Problems	Increasing Problems	Severe Problems
Salinity[(1)]				
Electrical Conductivity (ECw) of irrigation water (millimhos/centimeter (mmhos/cm))	1.8	<0.75	0.75-3.0	>3.0
TDS (milligrams per Liter (mg/L))	1,000-2,000	<450	450-2000	>2000
Permeability[(2)]				
ECw of irrigation water (mmhos/cm) adj. SAR	1.8	<6.0	6.0-9.0	>9.0
Specific Ion Toxicity from root absorption[(3)]				
Sodium (evaluated by adj. sodium absorption ratio(SAR))	14	<3.0	3.0-9.0	9.0[(4)]
Chloride (mg/L)	260-380	<142	142-355	>355
Boron (mg/L)	0.61	<0.5	0.5-2.0	2.0-10.0
Specific Ion Toxicity from foliar absorption[(5)]				
Sodium (mg/L)	200-260	<69	>69	--
Chloride (mg/L)	260-380	<106	>106	--
Miscellaneous[(6)]				
Total Nitrogen (NH_4-N and NO_3-N) (mg/l) for sensitive crops	5.4-8.1 (NO_3-N)	<5	5-30	>30
Bicarbonate (HCO_3) (mg/l)	--	<90	90-520	>520
pH	7.1-7.3	6.5-8.4		

Notes:
1 Assumes water for crop plus needed water for leaching requirement will be applied. Crops vary in tolerance to salinity.
2 Adjusted sodium absorption ratio (adj. SAR) is calculated from a modified equation developed by U.S. Salinity Laboratory to include
added effects of precipitation or dissolution of calcium in soils and related to CO3 + HCO3 concentrations. Permeability problems, related
to low EC or high adj. SAR of water, can be reduced if necessary by adding gypsum.
3 Most tree crops and woody ornamentals are sensitive to sodium and chloride. Most annual crops are not sensitive.
4 Shrinking-swelling type soils (montmorillonite type clay materials; higher values apply for others.
5 Leaf areas wet by sprinklers may show a leaf burn due to sodium or chloride absorption under low-humidity/high-evaporation conditions.
(Evaporation increases ion concentration in water films on leaves between rotations of sprinkler heads.)
6 Excess N may affect production of quality crops, i.e. sugar beets, citrus, avocados, apricots and grapes. HCO3 with overhead sprinkler
irrigation may cause a white carbonate deposit to form on fruit and leaves.
7 Based on 2004 plant data.

Source: Black and Veatch, 2009

Flooding

The Salinas River watershed is periodically subject to major flooding. Intense but infrequent winter storms can result in significant watershed runoff. Flooding conditions are caused when preceding rains have saturated the watershed. Surging flood flows usually peak within hours and may last several days. These flood events have caused extensive damage to agricultural land, infrastructure, public and private buildings and properties.

The National Flood Insurance Program 100-year floodplain is considered to be the base flood condition. This is defined as a flood event of a magnitude that would be equal to or exceeded at an average of once during a 100-year period. Floodways are defined as stream channels plus adjacent floodplains that must be kept free of encroachment as much as possible so that 100-year floods can be carried without substantial increases (no more than one foot) in flood elevations.

Floodplains near the WWTP include Salinas River, which flows in a northern direction along the eastern edge of the WWTP property. The existing effluent polishing ponds lie within the 100-year floodplain. The WWTP facilities lie just outside the floodplain.

Clean Water Act. The Clean Water Act (CWA) controls the discharge of toxic material into surface water bodies. Under this act, states are required to identify water segments impaired by pollutants and develop control strategies and management plans to reduce pollution and meet water quality standards.

State Policies and Regulations. Since 1990, regulations have increasingly emphasized the control of water pollution from non-point sources, which include stormwater systems and runoff from point-source construction sites and industrial areas. In California, the State Water Resources Control Board (SWRCB) issued a statewide General Permit to regulate runoff from construction sites involving grading and earth moving in areas over one acre. The SWRCB is acting to enforce requirements of the federal Clean Water Act, pursuant to regulations issued by the U.S. EPA for the National Pollutant Discharge Elimination System. This State Order (Water Quality Order 99-08-DWQ) requires construction projects covered under the General Permit to use the "best available technology economically achievable," and the "best conventional pollution control technology." Each construction project subject to the permit is required to have a SWPPP prepared, which identifies likely sources of sediment and pollution and incorporates measures to minimize sediment and pollution in runoff water. These objectives are established based on the designated beneficial uses (e.g., water supply, recreation, and habitat) for a particular surface water or groundwater.

Municipal wastewater must be treated in accordance with the applicable standards from the Clean Water Act and the California Water Code. The RWQCB sets specific effluent discharge requirements for wastewater facilities. Standards are set to protect present and potential beneficial uses of surface and/or groundwater that receives the effluent, including recreation, agriculture, and wildlife. Criteria governing the siting and design of the wastewater treatment plant and effluent disposal areas are contained in the Central Coast Regional Water Quality Control Board Basin Plan. The Basin Plan includes various guidelines, criteria, and prohibitions for wastewater treatment plants that utilize surface methods for effluent disposal.

The RWQCB regulates all municipal wastewater discharges to protect the quality and beneficial uses of ground water and surface water resources, to maximize reclamation and reuse, and to eliminate waste associated health hazards. Municipal and industrial point source discharges to surface waters are generally controlled through National Pollutant Discharge Elimination System (NPDES) permits. Although the NPDES program is established by the federal Clean Water Act, the permits are prepared and enforced by the regional water boards through program delegation to California and implementing authority in the California Water Code. The RWQCB will issue NPDES permits and waste discharge requirements for municipal waste discharges to protect water quality.

The Porter-Cologne Water Quality Control Act of 1987. The Porter-Cologne Water Quality Control Act provides the authority and method for the State of California to implement its water management program. The act establishes waste discharge requirements for both point and non-point source discharges, affecting surface water and groundwater.

Safe Drinking Water and Toxic Enforcement Act of 1986. The Safe Drinking Water and Toxic Enforcement Act prohibits the discharge or release of any significant amount of chemical known to cause cancer or reproductive toxicity into the drinking water supply by any person in the course of doing business.

The Groundwater Management Act of 1992 (AB 3030). The Groundwater Management Act was designed to provide local public agencies with increased management authority over groundwater resources in addition to existing groundwater management capabilities. A key element of this law is the development and implementation of groundwater management plans.

The Basin Plan. The Basin Plan is administrative law. The Basin Plan provides the basis of how the quality of surface waters and groundwaters are to be managed to comply with the California's Porter-Cologne Water Quality Control Act and the CWA. The Basin Plan includes numerical and narrative water quality objectives to protect the beneficial uses of the Salinas River. The City's WWTP discharges to the Salinas River segment defined by the Nacimiento and the Santa Margarita Reservoirs. Constituents and properties regulated by the Basin Plan include bacteria, biostimulatory substances, chemical constituents, color, dissolved oxygen, floating material, oil and grease, pH, pesticides, radioactivity, salinity, sediment, settleable material, suspended material, tastes and odors, temperature, toxicity, and turbidity.

Effluent discharges cannot cause pathogens and organic and inorganic chemicals in the receiving water to exceed the concentrations set in Chapter 15 of Title 22 of the California Code of Regulations (CCR) Primary Drinking Water Maximum Contaminant Levels (MCLs). Nitrogen water quality objectives in the Basin Plan associated with protection of the Salinas River beneficial uses include:

- Nitrate water quality objective: 10 mg/L (as N).
- Unionized ammonia water quality objective: 0.025 mg/L (as N).
- Biostimulatory substances: "Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses."

Impacts.

a. During project construction, grading operations on-site would remove existing vegetation, disturb erosive soil layers, and create temporary stockpiles of bare soil. These activities would expose small areas of soil within the project site to the erosive forces of rainfall and runoff as stormwater flows through the project site to Salinas River. In addition, during construction, the use of equipment and storage of materials may result in the incidental leak or spill of fuels or oils, or the discharge of pollutants related to equipment and materials into the reservoir or tributaries to Salinas River. As discussed in Sections D and F (Biological Resources, Geology and Soils), statutorily required standard measures, including the preparation and implementation of a SWPPP that meets the statutory requirements of the Statewide General Construction Permit, will ensure that impacts from site alteration, grading and construction are less than significant. BMP examples generally include an effective combination of erosion and sediment controls. Erosion and sediment control measures include barriers such as silt fences, hay bales, drain inlet protection, gravel bags, etc. Existing vegetation should be preserved as much as possible. Areas of existing vegetation to be preserved would by identified and delineated on project plan sheets in the required SWPPP. All disturbed areas would be stabilized with vegetation or hard surface treatments upon completion of construction in any specific area. All inactive disturbed soil areas would be stabilized with both sediment and temporary erosion control prior to the onset of the rainy season (October 15th to April 15th).

Operation of any wastewater treatment plant has the potential to violate water quality standards or waste discharge requirements through improper facility design. Equipment within the plant is designed to accommodate peak flow conditions. A revised waste discharge requirement (WDR) is required prior to construction and operation of wastewater treatment plant improvements. Compliance with the revised WDR, which is required before the improved wastewater treatment plant can operate, will ensure that the water quality operational impacts are less than significant.

b. The project would not affect groundwater quality since this project would not directly extract groundwater or otherwise affect these resources, and the proposed uses do not utilize materials or methods that would result in reduced groundwater quality. This project will change effluent quality to meet current and anticipated discharge regulations in compliance with the National Pollution Discharge Elimination System (NPDES) requirements. This impact would be less than significant.

c-e. Construction and implementation of the project would not significantly alter the existing drainage pattern of the site, result in a significant increase in the rate or amount of surface runoff, or result in flooding exceeding existing conditions during rainfall, because development would occur within existing facility areas. Proposed improvements to the outfall structure are intended to minimize erosion resulting from concentrated pipe flow, and would allow for a diffuse laminar flow into the river. In addition, the City is required to obtain a Streambed Alteration Agreement from the CDFG for construction within the

river bank. Based on the location and design of the project, this impact would be less than significant.

f. As discussed in Sections D and F (Biological Resources, Geology and Soils) and in a) above, construction and implementation of the project has the potential to result in discharges, potentially degrading the quality of waters within the Salinas River. Implementation of existing regulations, including a Stormwater Pollution Prevention Plan (including BMPs), and compliance with the revised waste discharge permit issued by the RWQCB would mitigate the potential for adverse effects.

g. The project does not propose housing within the 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map. No impact would occur.

h. The effluent storage ponds associated with the existing WWTP are located within the 100-year flood zone for the Salinas River. The proposed project includes removal of the existing effluent ponds from the discharge process. Based on the location of proposed improvements within the existing facility area, stormwater runoff rates and flooding patterns of the Salinas River during and following storm events would not differ significantly from current conditions. In addition, the construction of facilities within flood hazard zones are subject to design standards incorporated in the City Municipal Code. Based on the location of the project, and compliance with existing standards, this impact is considered less than significant.

i. As discussed above, implementation of the project would not significantly affect existing flood patterns of the Salinas River, and would not expose people or structures to a significant risk of loss, injury, or death.

j. The City is not located in a coastal zone, where there would be risk of tsunami, nor near a large body of water, where there would be risk of seiche. The landslide/mudflow risk is considered low. Based on the location of the project site, and negligible to low probability of these hazards, the impact is considered less than significant.

Conclusion. Implementation of the proposed project has the potential to result in pollutant discharge into the waters of the Salinas River during construction and operation of the proposed facility. Implementation of statutorily required standard measures, including the preparation and implementation of BMPs and a SWPPP would reduce impacts to less than significant. A portion of the project site is within the 100-year flood plain, and is therefore subject to City Municipal Code development standards, consistent existing FEMA regulations. Based on implementation of standard requirements, potential impacts would be less than significant.

Finding. Based on implementation of statutory and standard measures identified above, and compliance with existing regulations, potential impacts would be mitigated to less than significant.

I. Land Use and Planning

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐

Setting. The project site is zoned Commercial/Light Industrial. The project site is occupied by the existing wastewater treatment plant including effluent storage ponds, a pump station, operations buildings, access roads, parking area, chain link fencing and utilities. Surrounding uses include commercial and residential areas to the west and open areas associated with Salinas River to the south, north and east. Vegetation outside of the facility area consists of riparian, oak woodland and grassland.

Impacts.

a. The project would occur at the existing wastewater treatment plant and would not physically divide an established community.

b. Implementation of proposed wastewater treatment plant upgrades and sewage system improvements would not be inconsistent with any General Plan Policies. The project would not conflict with allowable uses in the Zoning Code.

c. The Project site is located within the existing wastewater treatment facility area, within an urban area. There are no habitat conservation plans that apply to the project site. The project will comply with the City's adopted Oak Tree Ordinance. No impact would result from project, and no mitigation measures are necessary.

Conclusion. The proposed project is consistent with applicant plans and policies. No significant impacts would occur, and no additional mitigation is necessary.

Finding. Potential impacts would be less than significant, and no mitigation is necessary.

J. Mineral Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☒	☐

Setting. Portions of the Salinas River provide mining opportunities for sand and gravel operations. No operations are located within the area proposed for development.

Impact.

a-b. The project site does not support known mineral resources. The proposed project would not result in impacts to mineral resources. No mineral resources in local plans or resource inventories. The proposed project would not result in impacts to mineral resources.

Conclusion. Based on the location of the project site, potential impacts would be less than significant, and no mitigation is necessary.

Finding. Potential impacts would be less than significant, and no mitigation is necessary.

K. Noise

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Setting. Noise varies with time, geographic location, proximity to the source, and duration of the noise event. The effects of noise are considered in several ways: how a proposed project may increase existing noise levels, how those noise levels would affect surrounding land uses, and how a proposed land use may be affected by noise from existing and surrounding land uses. Certain land uses are considered more sensitive to ambient noise levels than others, due to the amount of noise exposure and the types of activities involved. In general, noise-sensitive land uses typically include but are not limited to the following:

- Residential development;
- Schools/daycare;
- Public assembly and entertainment;
- Commercial/retail;
- Industrial;
- Restaurants, and eateries; and,
- Offices.

The proposed project site is located in the City of Paso Robles at the existing wastewater treatment plant. Surrounding uses include Highway 101 and commercial and residential uses to the west, and open areas associated with Salinas River to the north, south and east. The existing treatment plant is located on a 52-acre parcel within the Commercial/Light Industrial land use category. Noise resulting from the existing treatment plant operations and traffic noise from Highway 101 are the primary noise-producing sources in the immediate project area.

The closest residences are located approximately 0.2-mile to the east and west. Residences to the east are separated from the project site by the Salinas River and associated open space and rest on a bluff approximately 100 feet upslope from the project site. Residences to the west are separated from the project site by Highway 101 and commercial development.

a-d. The project area is currently subject to significant vehicle traffic noise associated with Highway 101 throughout the day. The WWTP operation is not considered to generate significant daily traffic volumes that would produce noise impacts at any of the existing sensitive noise receptors within an approximately one-mile radius of the project site. The increased traffic volumes which would result from the WWTP upgrade project would be

insignificant when compared to existing traffic volumes. The WWTP upgrade is not expected to produce significant traffic volumes that would increase vehicular traffic noise levels.

Construction Related Noise

Development of the wastewater treatment plant improvements would create temporary increases in the ambient noise level during construction. Construction noise, and how its perceived, would differ among the various phases of construction, depending on the particular activities, equipment used, and its proximity to sensitive noise receptors. During the initial phases of construction, it is estimated that most of the construction noise would be generated by grading and earthwork operations, using various heavy machinery. Once the site work is finished, construction noise would shift to that typically encountered when building structures (e.g., air compressors, circular saws, hammers, etc), which are typically less noisy, as well as traffic noise generated by workers commuting to and from the jobsite. In addition, the City Noise Element of the General Plan includes noise reduction measures to be incorporated into contract specifications including the use of sound-control devices on equipment, avoiding idling equipment, and public notification of proposed construction activities. Limiting construction activities to daytime hours would minimize the effect on nearby residents.

Stationary Noise

Stationary noise generated by the continued operation of the wastewater treatment plant would occur from operation machinery associated with operation of the plant. Other noise impacts associated with operation of the wastewater treatment plant and disposal area include employee vehicle travel inside the plant and potentially the use of back-up emergency generators in case of power outage. The nearest sensitive noise receptors (residential neighborhood) to the proposed wastewater treatment plant is located approximately 0.2 mile from the project site, at a minimum of 100 feet upslope from the facility. Proposed facility upgrades would not result in a significant increase above current ambient conditions.

e. The project is not located within an airport land use plan area. No impacts would occur.

Conclusion. Implementation of the proposed project would result in a short-term increase in noise due to the use of construction equipment, potentially affecting noise-sensitive uses in the area. Impacts resulting from noise would be reduced to less than significant with the implementation of mitigation measures.

Mitigation Measure NS-1: Prior to initiation of construction activities, the project Contractor shall prepare a Noise Control Plan which will include Noise Reduction BMPs for all phases of construction. The plan shall be submitted to the City for approval and shall include the following Noise Reduction BMPs:

a. Limit the operation of heavy equipment and loud activities to the hours of 7:00 AM to 6:00 PM;
b. Shield especially loud pieces of stationary construction equipment;

c. Locate portable generators, air compressors, etc. away from sensitive noise receptors;
d. Limit grouping major pieces of equipment operating in one area to the greatest extent feasible;
e. Place heavily trafficked areas such as the maintenance yard, equipment, tool, and other construction oriented operations in locations that would be the least disruptive to surrounding sensitive noise receptors;
f. Ensure that all equipment items have the manufacturers' recommended noise abatement measures, such as mufflers, engine covers, and engine vibration isolators intact and operational. Internal combustion engines used for any purpose on or related to the job shall be equipped with a muffler or baffle of a type recommended by the manufacturer; and,
g. Conduct worker-training meetings to educate and encourage noise awareness and sensitivity. This training should focus on worker conduct while in the vicinity of sensitive receptors (i.e. minimizing and locating the use of circular saws in areas adjacent to sensitive receptors and being mindful of shouting and the loud use of attention drawing language).

Finding. Based on implementation of mitigation measures identified above, and compliance with existing regulations, potential impacts would be mitigated to less than significant.

L. Population and Housing

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Setting. The proposed project is located within the City of Paso Robles, within the existing wastewater treatment facility area. No housing is present onsite.

Impacts.

a. The project does not propose any new housing. The WWTP upgrade will not increase the capacity of the WWTP, only the quality of the effluent. Therefore, the project will not induce substantial population growth. Workers during the construction phase would most likely come from surrounding communities and would not require any new short-

term or long-term housing.

b – c. The proposed project will not remove or displace any existing housing. No impacts will occur.

Conclusion. No impacts would occur and no mitigation is necessary.

Finding. Potential impacts would be less than significant.

M. Public Services

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a. Fire protection?	☐	☐	☒	☐
b. Police protection?	☐	☐	☒	☐
c. Schools?	☐	☐	☐	☒
d. Parks?	☐	☐	☐	☒
e. Other public facilities?	☐	☐	☒	☐

Setting. The project site is served by the Paso Robles Fire Department, City of Paso Robles Police Department, and the Paso Robles Joint Unified School District. Access to the project site will be from Sulphur Springs Road. The Paso Robles fire station is located approximately seven minutes from the project site.

Impacts.

a – b. Wastewater treatment facility operations do not have a high demand for police protection. The proposed upgrades would be located at the existing wastewater treatment plant facilities. The proposed project would not impose a significant demand for fire protection services. No new public service facilities or personnel would be required. Anticipated impacts are considered less than significant and no mitigation measures are warranted.

c. The proposed project will not result in an increase in school-aged children in the area. The proposed wastewater treatment facility would not have a direct effect on local schools. No impact will occur.

d. The Paso Robles Events Center and Pioneer Park are located approximately one mile south of the project site. The proposed project will not affect use of area parks. No

impacts will occur.

e. No other public facilities will be impacted.

Conclusion. No impacts would occur and no mitigation measures are necessary.

Finding. Potential impacts would be less than significant.

N. Recreation

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Setting. The Paso Robles Events Center and Pioneer Park are located approximately one mile south of the project site. The project site is within the Salinas River Trail Corridor.

Impact.

a-b. The proposed project will not affect use of area parks, or implementation of a future trail project within the Salinas River trail corridor. The proposed project would not increase the demand for existing neighborhood or regional parks or other recreational facilities beyond the facilities existing in the City.

Conclusion. No impacts would occur and no mitigation measures are necessary.

Finding. Potential impacts would be less than significant.

O. Transportation/Traffic

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e. Result in inadequate emergency access?	☐	☐	☒	☐
f. Result in inadequate parking capacity?	☐	☐	☒	☐
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☒	☐

Setting. The WWTP is accessed by Sulphur Springs Road, which is accessed from the on-ramp for northbound Highway 101. Sulphur Springs Road dead-ends at the existing WWTP and no other facilities or residences are located off this road. A security gate is located at the end of Sulphur Springs Road prior to the entrance of the WWTP.

Impacts.

a – b. Project construction is not expected to produce significant vehicle volumes during construction activities. Construction equipment would use the Highway 101/Highway 46 interchange to access Sulphur Springs Road. Although there would be some vehicle traffic associated with hauling heavy equipment and construction materials to the site, this would not occur throughout the duration of the project. Workers commuting to and from the jobsite would be associated with the largest increase in traffic volumes during construction, but this would be limited mainly to morning arrival and evening departures,

which would occur only during established daylight working hours, and would not produce a large enough traffic volume to significantly alter existing levels of service (LOS) designations.

Operation of the upgraded facility will include an estimated one to five additional trucks per day delivering grease and septage to the WWTP. The upgraded facility will remove more solids from wastewater. However, improved solids digestion will minimize the amount of dried solids that are ultimately hauled away from WWTP for disposal at the Paso Robles landfill. The increase in truck trips required for solids disposal will be minimal. Due to the minimal increase in operational trips, significant traffic impacts would not occur.

c. The project would not affect air traffic. No impacts would occur.

d. The project does not propose any design features which would substantially increase traffic hazards.

e – f. The project site is located the end of dead-end road, which only serves as access to the WWTP. The proposed project would not conflict with emergency access routes during construction or operation of the upgrades. Parking capacity will not change as a result of the project.

g. The project would not conflict with adopted policies, plans, or programs supporting alternative transportation.

Conclusion. No significant impacts would occur and no mitigation is recommended.

Finding. Potential impacts would be less than significant.

P. Utilities and Service Systems

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
which could cause significant environmental effects?				
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

Setting. The project proposes to use existing on-site water lines as its water source. Based on available information, the proposed water source is not known to have any significant availability or quality problems. Wastewater from the proposed operations building will be connected to the existing wastewater treatment plant located on-site. Solid waste collection service will be provided by Paso Robles Waste Disposal Company and waste would be disposed at the Paso Robles Landfill, located east of the City limits. The landfill has an estimated lifespan through approximately 2034 and has the capacity to accept waste produced from the project.

Impacts.

a. The project upgrades will be designed to meet the requirements of the Regional Water Quality Control Board. Impacts would be less than significant.

b. The proposed project involves an upgrade to the existing wastewater treatment plant. This Initial Study includes an analysis of the potential environmental impacts resulting from implementation of the project and mitigation measures have been included to reduce the level of impacts to less than significant.

c. Implementation of the project would not require the construction of new stormwater drainage facilities.

d. The proposed project would not significantly increase water demands beyond current uses. Impacts would be less than significant.

e. The proposed project consists of an upgrade to an existing wastewater treatment facility. This impact is not applicable.

f – g. The proposed project may generate construction wastes including solid concrete, asphalt, scrap pipe, and other similar materials. The majority of these wastes would be recycled, in accordance with existing City waste diversion requirements. The upgraded WWTP will remove more solids from wastewater. However, improved solids digestion will minimize the amount of dried solids that are ultimately hauled away from WWTP for disposal at the Paso Robles landfill.

Conclusion. No significant impacts would occur and no mitigation is recommended.

Finding. Potential impacts would be less than significant.

XI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. 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?	☐	☒	☐	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

a. As discussed in the preceding sections, the project does have the potential to significantly degrade the quality of the environment, including effects on animals, or sensitive habitats, or to eliminate unknown, subsurface prehistoric resources. During construction, ground disturbance and construction of the project may affect biological resources, including sensitive and special-status habitats and species. Grading activities may adversely affect subsurface cultural resources (if present). Mitigation measures are identified to reduce potential impacts a less than significant level, including but not limited to avoidance of sensitive habitats where feasible, pre-construction wildlife

surveys, construction monitoring by qualified specialists, restoration of impacted habitat, and replacement of removed oak trees.

b. When project impacts are considered along with, or in combination with other impacts, the project-related impacts may be significant. Construction and operation of the project would contribute to cumulative levels of air pollutant emissions, erosion and down-gradient sedimentation, and pollutant concentrations in stormwater runoff. Mitigation measures have been incorporated into the project to reduce project-related impacts to a less than significant level. Based on implementation of identified project-specific mitigation measures, the cumulative effects of the proposed project would be less than significant.

c. Implementation of the project would result in the generation of pollutants, which may affect air and water quality, and would result in a short-term increase in the ambient noise level during construction. Mitigation measures have been developed that would reduce these project-specific impacts to a less than significant level; therefore, the project would not result in substantial, adverse environmental effects to human beings, either directly or indirectly.

VII. REFERENCES

Black and Veatch. 2009. City of Paso Robles Wastewater Treatment Plant Upgrade Facility Plan.

California Department of Conservation. 2006. Farmland Mapping and Monitoring Program.

California Department of Toxic Substances Control. "Hazardous Waste and Substances Site List – Site Cleanup [Cortese List]." Accessed March 19, 2009. <http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm>.

California Department of Toxic Substances Control. 2009. Envirostor/Geotracker.

California Department of Transportation. Scenic Highways Program. 2009. <http://www.dot.ca.gov/hq/LandArch/scenic_highways/scenic_hwy.htm>

County of San Luis Obispo. 1999. Safety Element of the General Plan.

Earth Systems Pacific (2008). Soils Engineering Report, Paso Robles Wastewater Treatment Plant, Sodium Hypochlorite Facility Project, Paso Robles, California, File No. SL-13132-SD, unpublished consultant report prepared for Carollo Engineers, dated February 1.

Earth Systems Pacific (2002). Draft Geotechnical Engineering Report, Paso Robles Wastewater Treatment Plant, Solids Dewatering System / Digester, Paso Robles, California, File No. SL-13132-SA, unpublished consultant report prepared for Carollo Engineers, dated April 8.

SWCA Environmental Consultants. 2009. Air Quality Analysis for the Paso Robles Wastewater Treatment Plant, City of El Paso De Robles, California.

SWCA Environmental Consultants. 2009. Biological Resources Survey Report for the El Paso de Robles Wastewater Treatment Plan Upgrade Project.

SWCA Environmental Consultants. 2009. California Red-legged Frog Site Assessment Report for the El Paso de Robles Wastewater Treatment Plant Upgrade Project, Paso Robles, San Luis Obispo County, California

SWCA Environmental Consultants. 2009. Cultural Resources Survey for the Paso Robles Wastewater Treatment Plant Upgrade Project.

SWCA Environmental Consultants. 2009. Preliminary Jurisdictional Determination for the El Paso de Robles Wastewater Treatment Plant Upgrade Project, Paso Robles, San Luis Obispo County, California.

USDA Natural Resources Conservation Service. Web Soil Survey. 2009. <http://websoilsurvey.nrcs.usda.gov/app/>

VIII. MITIGATION MONITORING PROGRAM

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
AESTHETICS					
AES-1	The City shall prepare landscape and irrigation plans and specifications including measures to restore disturbed soils and staging areas. The plan shall incorporate the use of drought-tolerant vegetation, and low water-use irrigation methods (i.e., drip irrigation, micro-spray).	Preparation of plans and specifications	Prior to construction	Plan to be approved by City, implemented prior to and during construction, and maintained for the life of the project	City
AES-2	The City shall develop an exterior lighting plan, which shall include the height, location, and intensity of all proposed exterior lighting. All light poles, fixtures, and hoods shall be dark (non-reflective) colored. Lighting shall be designed to eliminate any off site glare. All exterior site lights shall utilize full cut-off, "hooded" lighting fixtures to prevent offsite light spillage and glare.	Preparation of exterior lighting plan	Prior to construction	Plan to be approved and implemented by City, and maintained for the life of the project	City
AIR QUALITY					
AQ-1	Prior to commencement of grading, demolition, and construction activities, the City shall include the following Best Available Control Technology measures for diesel-fueled construction equipment on final grading and construction plans. These measures will reduce nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment: a. Maintain all construction equipment in proper tune according to manufacturer's specifications; b. Fuel all off-road and portable diesel powered	Incorporation of specifications on grading and construction plans	Prior to construction	Designated monitor to ensure compliance	City, Air Pollution Control District

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for off-road); c. 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; d. Use on-road heavy-duty trucks that meet the ARB'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 that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx 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 within 1,000 feet of sensitive receptors is not permitted; h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors; 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				

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.				
AQ-2	Prior to commencement of grading, demolition, and construction activities, the City shall include the following measures to control fugitive dust on final grading and construction plans. These measures will reduce fugitive dust (PM10) emissions: a. Prohibit dust opacity greater than ten percent from any project source beyond the property line; c. Prohibit visible fugitive dust onsite that equals or exceeds 20 percent opacity for three minutes or more in any one hour; d. Provide for monitoring dust and construction debris during construction; e. Designate a person or persons to monitor the dust control program and to order increased watering or other measures as necessary to prevent transport of dust off-site. Duties should include holiday and weekend periods when work may not be in progress (but strong winds are forecast); f. Provide the name and telephone number of such persons to the APCD prior to construction commencement; g. Identify complaint handling procedures; h. Fill out a daily dust observation log; and, i. Provide a list of all heavy-duty construction equipment operating at the site. The list shall include the make, model, engine size, and year of each piece of equipment.	Incorporation of specifications on grading and construction plans	Prior to construction	Designated monitor to ensure compliance	City, Air Pollution Control District

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	Dust Control measures shall contain the following items or equivalent measures: a. Reduce the amount of the disturbed area where possible. b. Water trucks or sprinkler systems shall be used in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency shall be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible. c. All dirt stockpile areas shall be sprayed daily as needed. d. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established. e. All disturbed soil areas not subject to re-vegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD. f. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible after initial site grading. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. g. Vehicle speed for all construction vehicles shall be posted to not exceed 15 mph on any unpaved surface at the construction site. h. All trucks hauling dirt, sand, or other loose				

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	materials are to be covered or shall maintain at least two feet of free board (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114. i. Wheel washers shall be installed where vehicles enter and exit unpaved roads onto streets, or, trucks and equipment leaving the site shall be washed off. 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 when feasible. k. Permanent dust control measures shall be implemented as soon as possible following completion of any soil disturbing activities.				
AQ-3	Naturally-occurring asbestos has been identified by the State Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common in the state and may contain naturally occurring asbestos. Under the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to construction permit issuance, a geologic investigation will be prepared and then submitted to the City to determine the presence of naturally-occurring asbestos. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM before grading begins. These requirements may include, but are not limited to, 1) preparation of an "Asbestos Dust Mitigation	Incorporation of specifications on grading and construction plans	Prior to construction	Designated monitor to ensure compliance	City, Air Pollution Control District

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	Plan", which must be approved by APCD before grading begins; 2) an "Asbestos Health and Safety Program", as determined necessary by APCD. (For any questions regarding these requirements, contact Karen Brooks (APCD) at (805) 781-5912 or go to http://www.slocleanair.org/business/asbestos.asp). Prior to final inspection or occupancy, whichever occurs first, when naturally-occurring asbestos is encountered, the applicant shall provide verification from APCD that the above measures have been incorporated into the project.				
BIOLOGICAL RESOURCES					
BIO-1	Prior to construction, the City shall develop a Revegetation and Mitigation Plan due to the known presence of sensitive communities within the project study area. A qualified specialist shall be retained to prepare the Revegetation and Mitigation Plan, complete with success goals and a monitoring schedule as stipulated in the appropriate resource agency permit. Site preparation, timing, species utilized, planting installation, maintenance, monitoring, and reporting of the revegetation/restoration efforts shall be done in accordance with permit terms. The following measures shall be incorporated into the Revegetation and Mitigation Plan: a. Prior to construction, locations/boundaries of sensitive communities shall be flagged by a qualified specialist. The areas to be protected shall be shown on all applicable construction plans.	Preparation of Revegetation and Mitigation Plan	Prior to construction	Plan to be approved by resource agencies; implemented prior to, during, and following construction. Success to be monitored per plan, and reports to be submitted pursuant to resource permit requirements	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	b. Prior to any grubbing or vegetation removal, exclusionary fencing shall be erected at the boundaries of confirmed sensitive habitat areas to avoid equipment and human intrusion adjacent habitats, including the seasonal wetland feature located within the southern portion of the project study area. The fencing shall remain in place throughout construction activities. c. Prior to construction, the City shall specify an onsite mitigation strategy in the Revegetation and Mitigation Plan to mitigate for impacts to sensitive communities which would be impacted. All wetland and riparian habitat areas temporary affected by proposed activities shall be restored. Restoration of permanently affected riparian areas shall occur at a minimum 1:1 ratio, and shall occur within the bank and riparian edge of the Salinas River. This onsite mitigation strategy shall follow permit conditions in the following areas: i. Suitable onsite mitigation locations based on soil type, hydrologic conditions, and proximity to existing habitat; ii. Seed collection requirements and protocol; iii. Soil seed bank conservation strategies; iv. Mitigation site preparation techniques; v. Seeding regime;				

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	vi. Mitigation site maintenance schedule, including weed abatement strategies, erosion control monitoring, etc.; and, vii. Monitoring requirements.				
BIO-2	Prior to construction, the City shall prepare and submit to the RWQCB or SWRCB a Notice of Intent (NOI) and prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the requirements of the State General Order related to construction projects. The SWPPP shall identify the selected stormwater management procedures, pollution control technologies; spill response procedures, and other means that will be used to minimize erosion and sediment production and the release of pollutants to surface water during construction. The City shall ensure that sedimentation and erosion control measures are installed prior to any ground disturbing activities. Re-vegetation of disturbed soil areas shall be facilitated by mulching, hydro-seeding or other methods, and should be initiated as soon as possible after completion of grading or trenching.	Preparation of SWPPP	Prior to construction	Plan to be approved by RWQCB or SWRCB prior to construction, implemented during and following construction	City
BIO-3	Prior to start of construction, a qualified specialist shall conduct a worker orientation program for construction staff. The training shall include information on and emphasizes the presence of special-status species and habitats identified within the project site during previous field surveys and pre-construction surveys, including but not limited to: oak trees, riparian and wetland habitat, steelhead trout, California red-legged frog, Western spadefoot toad, southwestern pond turtle, coast horned lizard, Monterey dusky-footed	Retain qualified specialist	Prior to construction	Document compliance in periodic and final construction monitoring report	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	woodrat, nesting raptors and ground-nesting birds, Least Bell's vireo, and roosting bats. The training shall also include applicable local, City, California Department of Fish and Game, Regional Water Quality Control Board, and U.S. Army Corps of Engineers regulatory policies and provisions regarding their protection, and measures to be implemented to avoid and/or minimize impacts.				
BIO-4	Construction monitoring shall be conducted by the City or a designated, qualified environmental monitor at a frequency and duration specified by the appropriate regulatory agency permit requirement which may be required for the proposed project.	Retain qualified specialist	Prior to and during construction	Document compliance in periodic and final construction monitoring report	City
BIO-5	Prior to and during construction, the project shall implement erosion control best management practices. To reduce the potential for inadvertent release of sediment from construction areas to adjacent stream, drainage, wetland, or other sensitive resource areas, the contractor shall install appropriate erosion control devices (i.e., straw wattles, silt fence) around the perimeter of each work site, and other areas experiencing disturbance of the ground surface. Storm drains and gutters leading to drainage and wetland areas shall be protected by installation of erosion control measures or shall be blocked to prevent water entry. Erosion control devices shall be checked on a daily basis to ensure proper function.	Identify measures on grading and construction plans	Prior to and during construction	Document compliance in periodic and final construction monitoring report	City
BIO-6	Prior to construction, the City shall ensure preparation and implementation of a Spill	Prepare Spill Prevention and	Prior to construction	Document compliance with	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	Prevention and Contingency Plan that includes provisions for avoiding and/or minimizing impacts to sensitive habitat areas, including wetland and riparian areas and water bodies due to equipment-related spills during project implementation. The City shall ensure contamination of habitat does not occur during such operations. Prior to the onset of work, the City shall ensure that the plan allows a prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measure to take should a spill occur. The plan shall include the following provisions: a. All equipment fueling shall be conducted within the designated staging areas of the project site (see Figure 5). Such areas shall consist of roadway or ruderal habitat. At no time shall any equipment fueling be conducted within 100 feet of any wetland and riparian habitat area, or water body; b. An overview of the containment measures to appropriately store and contain all fuels and associated petroleum products during the project shall be included in the plan. This shall include provisions for equipment staging areas, such as the need for drip pans underneath parked equipment and designated storage areas for fuel dispensing equipment with visqueen lining or similar and secondary containment; and,	Contingency Plan		plan in periodic and final construction monitoring report	

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	c. A description of the response equipment that will be on-site during construction and exact procedures for responding to any inadvertent spills including miscellaneous fuel and/or lubricant spills from construction equipment and vehicles during operations. Final specifications of the Spill Prevention and Contingency Plan shall be reviewed and approved by the City prior to project implementation.				
BIO-7	Prior to construction, the City shall provide a copy of the Tree Preservation Plan (2010) to the construction manager and retained arborist. In addition, the City shall ensure that all grading and construction plans include the following measures specific to oak tree protection: a. Protection Fencing: Protection fencing shall be shown in orange ink on the grading plan. Protection fencing shall consist of 4-foot high chain link, snow or safety fence (staked with t-posts eight feet on center) at the edge of the critical root zone or line of encroachment for each tree or group of trees. The fence shall be installed prior to initiation of grading and construction activities. The City shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, shall inspect the fence placement once erected. The fence shall not be moved prior to arborist inspection and/or approval. If orange plastic fencing is uses, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts	Identify measures on grading and construction plans	Prior to and during construction	Document compliance in periodic and final construction monitoring report	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	shall be made to maximize the distance form each protected tree. Weather-proof signs shall be posted by the general contractor on the fences every 50 feet with the following information: "Tree Protection Zone. No personnel, equipment, materials, and vehicles are allowed. Do no remove or re-position this fence without calling [Name of Arborist, Phone Number]. b. Soil Aeration Methods: Soils within the critical root zone that have been compacted by heavy equipment and/or construction activities shall be returned to their original sate before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18 inches deep, 2-3 feet apart, with a 2-4 inch auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise. c. Chip mulch: All areas within the critical root zone of the trees that can be fenced shall receive a 4-6-inch layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction. d. Trenching within critical root zone: All trenching within the critical root zone of native trees shall be hand dug. All major roots shall be avoided whenever possible. All exposed roots larger than one-inch diameter shall be clean cut with sharp pruning tools and not left ragged. A mandatory meeting between the arborist(s) and grading contractor(s) shall occur prior to start of work.				

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	e. Grading within the Critical Root Zone: Grading shall not encroach within the critical root zone unless authorized. Grading shall not disrupt the normal drainage pattern around the trees. Fills shall not create a ponding condition and excavations shall not leave the tree on a rapidly draining mound. f. Exposed roots: Any exposed roots shall be re-covered the same day they were exposed. If this is not feasible, exposed roots shall be covered with burlap or another suitable material and wetted down twice per day until re-buried. g. Equipment operation: Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Vehicles and equipment shall not be parked under the tree canopy, and all areas behind protection fencing are off-limits unless pre-approved by the arborist. h. Existing surfaces: The existing ground surface within the critical root zone of all oak trees shall not be cut, filled, compacted, or pared, unless shown on the grading plans and approved by the arborist. i. Construction materials and waste: No liquid or solid construction waste or materials shall be dumped or stored on the ground within the critical root zone of any native tree. j. Arborist monitoring: An arborist shall be present for the following activities: pre-construction fence placement inspection; all grading and trenching within the critical root				

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	zone of the five trees to be impacted; any other encroachment the arborist feels necessary and as authorized by the City; k. Pre-construction meeting and compliance letter: An on-site pre-construction meeting with the arborist, City, and earth moving construction crew shall be required. Prior to final inspection, a letter from the arborist shall be required verifying the health/condition of all impacted trees and providing any recommendations for any additional mitigation. The letter shall verify that the arborist were on site for all grading and/or trenching activity that encroached into the critical root zone of the selected native trees, and that all work done in these areas was completed to the standards set forth above. l. Pruning: Class 4 pruning includes crown reduction pruning (reduction of tops, sides, or individual limbs). A trained arborist shall perform all pruning. No pruning shall take more than 25% of the live crown of any native tree. Any trees that may need pruning for road or structure clearance shall be pruned prior to any grading activities to avoid any branch tearing. m. Landscape: All landscape within the critical root zone shall consist of drought tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around critical root zones, otherwise above ground drip-irrigation shall be used. n. Utility placement: All utilities, sewer, and				

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	storm drains shall be placed down the roads and driveways and when possible outside the critical root zones. The arborist shall supervise trenching within the critical root zone. All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under or over roots larger than three inches in diameter. o. Fertilization and cultural practices: As the project moves towards completion, the arborist may suggest either fertilization and/or mycorrihiza applications that will benefit tree health. Mycorrihiza offers several benefits to the host plant, including faster growth, improved nutrition, ground drought resistance, and protection from pathogens.				
BIO-8	Up to four valley oak trees and two coast live oak trees may be removed. The combined diameter at breast height (dbh) of the valley oak trees to be removed would be 32 inches. The combined dbh of the valley oak trees to be removed would be 26 inches. Within six months of completion of the upgraded facility, the City shall plant replacement trees of the same species as those removed at a replacement ratio of 25% of the combined diameter of the removed trees (i.e., four, two-inch diameter valley oak trees, and five 1.5-inch diameter coast live oak trees). The planted trees shall be maintained by the City or designated arborist to ensure survival.	Replant valley oak trees onsite	During construction, prior to operation	Document compliance in final construction monitoring report	City
BIO-9	The seasonal wetland area located within the southern portion of the project study area shall be avoided. Grading, structures, landscaping, and	Identify sensitive habitat areas on grading and	Prior to and during construction	Document compliance in periodic and final	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	other project related activities including equipment staging shall occur a minimum of 100 feet away from known or potential vernal pool (seasonal wetland) habitat. Before grading and/or construction activities commence, a qualified specialist shall establish exclusion zones around known vernal pool habitat and including the 100-foot buffer area. Project activities, including equipment and materials staging, shall occur outside of the exclusion zones, which shall remain in place throughout project activities.	construction plans		construction monitoring report	
BIO-10	Prior to construction, the City shall obtain all necessary permits, approvals, and authorizations from jurisdictional agencies. These may include, but may not be limited to: (1) Army Corps of Engineers, Section 404 Nationwide Permit 12; (2) Regional Water Quality Control Board, Section 401 Water Quality Certification; and, (3) CDFG, Section 1602 Streambed Alteration Agreement for activities within the tops of banks or outer edges of riparian canopies (whichever extends furthest from the streambeds) of drainages. The City shall adhere to all conditions included within these permits, approvals, and authorizations.	Obtain necessary resource agency permits	Prior to construction	Document permits in file	City
BIO-11	Prior to construction, all riparian and wetland areas shall be shown on all construction plans. All riparian vegetation planned for removal shall also be specified and shown on the construction plans.	Identify sensitive habitat areas on grading and construction plans	Prior to and during construction	Document compliance in periodic and final construction monitoring report	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
BIO-12	Prior to construction in the ponds or outfall areas, the perimeter of the construction impact area shall be delineated (construction fencing, flagging, rope, etc.) to avoid inadvertent impacts to sensitive habitats and/or sensitive species. The fencing shall remain in place throughout construction activities and shall be maintained by the contractor.	Identify sensitive habitat areas on grading and construction plans	Prior to and during construction	Document compliance in periodic and final construction monitoring report	City
BIO-13	Prior to construction, an approved specialist shall permanently remove, from the project area, any individuals of exotic species, such as bullfrogs, crayfish, and centrarchid fishes, to the maximum extent possible. The City shall have the responsibility to ensure that their activities are in compliance with the California Fish and Game Code.	Retain qualified specialist	Prior to construction	Document compliance in periodic and final construction monitoring report	City
BIO-14	During construction, all trash that may attract predators shall be properly contained, removed from the work site and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.	Include measure on grading and construction plans	Prior to and during construction	Document compliance in periodic and final construction monitoring report	City
BIO-15	To the extent practicable, construction activities within or adjacent to Salinas River shall be conducted during the dry season (May 1 through November 1), or as specified by resource agency permits and authorizations. This will reduce potential impacts to aquatic and semi-aquatic species that might be using the Salinas River and associated riparian vegetation as a movement/dispersal corridor.	Identify sensitive habitat areas on grading and construction plans	Prior to and during construction	Document compliance in periodic and final construction monitoring report	City
BIO-16	Prior to construction, the City shall submit the name(s) and credentials of biologists to the USFWS/CDFG who would conduct activities in	Obtain necessary resource agency permits and	Prior to construction	Document permits in file	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	support of the proposed project, including but not limited to environmental monitoring, capture and re-location of southwestern pond turtles, western spadefoot toad, or coast horned lizard, and restoration of riparian and wetland habitat.	authorizations; retain qualified specialist			
BIO-17	Unless otherwise specified in resource agency permits, at least 30 days prior to the onset of activities, the City shall obtain a letter of permission from CDFG to relocate any southwestern pond turtles, western spadefoot toads or coast horned lizards that are present within the project study area. In the event special-status species are observed, qualified specialists shall perform a capture and relocation effort. It is anticipated that coast horned lizards would potentially occupy the proposed staging area due to the presence of friable soils and the observation of a coast horned lizard just east of the project study area. If present, the qualified specialists shall capture and relocate any pond turtles, coast horned lizards, and spadefoot toads to safe locations outside of the area of impact, pursuant to CDFG conditions. Observations of SSC species or other special-status species shall be documented on CNDDB forms and submitted to CDFG upon project completion.	Obtain necessary resource agency permits and authorizations; retain qualified specialist	Prior to and during construction	Document permits in file; document compliance in periodic and final construction monitoring report	City
BIO-18	Unless otherwise specified in resource agency permits, at least 7 days prior to onset of activities, an approved specialist shall survey the work site for the presence of California red-legged frog, coast horned lizard, southwestern pond turtle, and western spadefoot toad. If special-status species, including mature individuals, tadpoles, or eggs	Obtain necessary resource agency permits and authorizations; retain qualified specialist	Prior to and during construction	Document permits in file; document compliance in periodic and final construction monitoring report	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	are found, the approved specialist shall contact the USFWS and/or CDFG to determine if moving any of these life-stages is appropriate. In making this determination the USFWS or CDFG shall consider if an appropriate relocation site exists. If the USFWS or CDFG approves moving animals, the approved specialist shall be allowed sufficient time to move special-status species from the work site before work activities begin. Only USFWS-approved specialists shall participate in activities associated with the capture, handling, and monitoring of California red-legged frogs, unless otherwise specified in resource agency permits.				
BIO-19	A qualified biologist shall monitor the work site pursuant to the approved Mitigation and Monitoring Program and resource agency permits. The qualified biologist shall be experienced in the identification and protection of California red-legged frogs, steelhead, coast horned lizard, southwestern pond turtle, western spadefoot toad, and least Bell's vireo. The qualified biologist shall be on-site to perform pre-construction surveys, instruct workers, monitor activities within sensitive habitat areas, and during relocation of special-status species. The qualified biologist shall have the authority to halt any action that might result in impacts that exceed the levels anticipated by the Corps, USFWS, and CDFG during review of the proposed action. If work is stopped, the Corps, USFWS, and CDFG shall be notified immediately by the qualified biologist. The qualified biologist shall also submit a report to the City documenting the	Obtain necessary resource agency permits and authorizations; retain qualified biologist	Prior to and during construction	Document permits in file; document compliance in periodic and final construction monitoring report	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	implementation of mitigation measures.				
BIO-20	Unless otherwise specified by resource agency permits, during construction, if the work site is to be temporarily dewatered by pumping, intakes shall be completely screened with wire mesh not larger than five millimeters to prevent California red-legged frogs from entering the pump system. Water shall be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. Upon completion of construction activities, any barriers to flow shall be removed in a manner that would allow flow to resume with the least disturbance to the substrate.	Obtain necessary resource agency permits; include measures on construction plans	Prior to and during construction	Document permits in file; document compliance in periodic and final construction monitoring report	City
BIO-21	During construction, in order to reduce the potential for amphibious species and other wildlife species entering the construction area, standing water shall not be created as a result of construction activities.	Include measures on construction plans	Prior to and during construction	Document compliance in periodic and final construction monitoring report	City
BIO-22	Prior to construction, the project site shall be surveyed by a qualified specialist for identification of woodrat middens. In the event woodrat middens are observed, and the middens cannot be avoided during project activities, then the middens shall be removed as follows, under supervision of the specialist. Due to the health risks surrounding this activity, removal by hand is not recommended. a. Upon completion of clearing the vegetation surrounding the woodrat shelter, the operator shall gently nudge the intact middens with equipment or long handled tools. The operators shall place their equipment within the previously cleared area and not within the	Include measures on construction plans; retain qualified specialist	Prior to and during construction	Document compliance in periodic and final construction monitoring report	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	undisturbed woodrat shelter area. The objective is to alarm the woodrats so that they evacuate the midden and scatter away from the equipment and into the undisturbed habitat. b. Once the woodrats have evacuated the midden, the operator shall gently pick up portions of the structure with a front loader and move it to the undisturbed adjacent habitat. The objective of moving the structure is to provide the displaced woodrats with a stockpile of material to scavenge while they build a new midden. Jeopardizing the integrity of the structure is not an issue.				
BIO-23	To prevent inadvertent harm to San Joaquin kit fox, prior to construction, a qualified specialist shall perform the following monitoring activities: a. Within 30 days prior to initiation of site disturbance and/or construction, the specialist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits. b. The qualified specialist shall conduct weekly site visits during site-disturbance activities (i.e., grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring	Include measures on construction plans; retain qualified specialist	Prior to and during construction	Document compliance in periodic and final construction monitoring report	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	compliance with required San Joaquin kit fox mitigation measures. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by the specialist unless observations of kit fox or their dens are made on-site or the qualified specialist recommends monitoring for another reason. When weekly monitoring is required, the specialist shall submit weekly monitoring reports to the City. Prior to or during project activities, if any observations are made of San Joaquin kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified specialist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time the den is discovered, the qualified specialist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, all work shall stop until such time the U. S. Fish and Wildlife Service and Department determine that it is appropriate to resume work. If incidental take of kit fox during project activities is possible, before project activities commence, the applicant must consult with the U.S. Fish and Wildlife Service and the Department (see contact information below). The results of this consultation may require the				

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities. In addition, the qualified specialist shall implement the following measures: 1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances: a) Potential kit fox den: 50 feet b) Known kit fox den: 100 feet c) Kit fox pupping den: 150 feet 2. All foot and vehicle traffic, as well as all construction 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, and then shall be removed. 3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified specialist.				
BIO-24	During the site disturbance and/or construction	Include measures	During	Document	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	phase, grading and construction activities after dusk shall be prohibited unless coordinated through the City, during which additional kit fox mitigation measures may be required.	on construction plans	construction	compliance in periodic and final construction monitoring report	
BIO-25	During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified specialist and allowed to escape unimpeded.	Include measures on construction plans	During construction	Document compliance in periodic and final construction monitoring report	City
BIO-26	During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit	Include measures on construction plans	During construction	Document compliance in periodic and final construction monitoring report	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	fox has escaped.				
BIO-27	Prior to, during, and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.	Include measures on construction plans	Prior to, during, and following construction	Document compliance in periodic and final construction monitoring report	City
BIO-28	During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the City . In the event that any observations are made of injured or dead kit fox, the City shall immediately notify the U.S. Fish and Wildlife Service and the Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the Department for care, analysis, or disposition.	Include measures on construction plans	During construction	Document compliance in periodic and final construction monitoring report	City
BIO-29	Prior to final inspection, should any long internal or perimeter fencing be proposed or installed around natural habitat areas, the City shall do the following to provide for kit fox passage: a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".	Include measures on construction plans	During construction	Document compliance in periodic and final construction monitoring report	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines				
BIO-30	If construction activities are conducted during the typical nesting bird season (February 15 through September 15) pre-construction surveys shall be conducted by a qualified specialist prior to any construction activity to identify potential bird nesting activity. If nesting activity is identified during the preconstruction survey process, the following measures shall be implemented: a. If active nest sites of bird species protected under the Migratory Bird Treaty Act are observed within the project study area, then the project shall be modified and/or delayed as necessary to avoid direct take of the identified nests, eggs, and/or young; b. If active nest sites of raptors and/or bird species of special concern are observed within the vicinity of the project site, then CDFG shall be contacted to establish the appropriate buffer around the nest site. Construction activities in the buffer zone shall be prohibited until the young have fledged the nest and achieved independence; and, c. Active nests shall be documented by a qualified specialist, and a letter report shall be submitted to the City, USFWS, and CDFG, documenting project compliance with the	Include measures on construction plans	During construction	Document compliance in periodic and final construction monitoring report	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	MBTA and applicable project mitigation measures.				
BIO-31	A qualified specialist shall conduct roosting bat surveys prior to any trimming or removal of trees. If roosting bats are present, work activities shall not occur within 100 feet of the active roost. If trees that provide bat roosting habitat are removed, the City shall consult with CDFG to determine the appropriate means of mitigation for loss of the roosting habitat. Removed trees shall be replaced by native trees that provide roosting habitat for bats.	Retain qualified specialist	Prior to construction	Document compliance in periodic and final construction monitoring report	City
CULTURAL RESOURCES					
CULT-1	A qualified archaeologist shall monitor initial ground disturbing construction activities within native soils. If buried cultural resources, such as historic period artifacts or nonhuman bone, are inadvertently discovered during ground-disturbing activities, work will stop within 100 feet of the find until the qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures. Treatment measures typically include development of avoidance strategies, capping with fill material, or mitigation of impacts through data recovery programs such as excavation or detailed documentation. If cultural resources are discovered during construction activities, the construction contractor will verify that work is halted until appropriate, site-specific measures, such as those listed above, are implemented. The City of Paso Robles will approve the measures to be implemented before	Retain qualified specialist	During construction	Document compliance in construction monitoring report	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	construction activities are resumed in the area of the find.				
CULT-2	If human remains are discovered or recognized during site preparation, grading, or construction, there will be no further excavation or disturbance of the discovery site or any nearby area reasonably suspected to overlie adjacent human remains until the San Luis Obispo County coroner has been informed and has determined that no investigation of the cause of death is required. If the remains are determined by the coroner to be of Native American origin, the descendants will be identified and notified through the Native American Heritage Commission.	Retain qualified specialist, comply with regulations	During construction	Document compliance in construction monitoring report	City
CULT-3	Upon completion of all monitoring/mitigation activities, the consulting archaeologist shall submit a report to the City and Central Coast Information Center summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.	Prepare final monitoring report	Following completion of monitoring activities	Document compliance in construction monitoring report, submit to City and CCIC	City
GEOLOGY AND SOILS					
GEO-1	A final geotechnical engineering report shall be prepared and recommendations regarding geologic, seismic, and liquefaction conditions contained therein shall be incorporated into the final engineered design of the facility.	Prepare technical report	Prior to construction	Complete report prior to construction, implement recommendations	City
HAZARDS AND HAZARDOUS MATERIALS					
HM-1	Prior to initiation of construction activities, the Contractor shall prepare and submit to the City a contingency plan for handling hazardous materials, whether found or introduced on site	Prepare hazardous materials contingency plan	Prior to, during, and following construction	Document compliance in construction monitoring report	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	during construction. This plan shall include standard construction measures as specified in local, state and federal regulations for hazardous materials, removal of on-site debris, and confirmation of presence of pipelines on-site. At a minimum, the following measures shall be included in the contingency plan: a. If contaminated soils or other hazardous materials are encountered during any soil moving operation during construction (e.g., trenching, excavation, grading), construction shall be halted and the HMCP implemented. b. Instruct workers on recognition and reporting of materials that may be hazardous. c. Minimize delays by continuing performance of the work in areas not affected by hazardous materials operations. d. Identify and contact subcontractors and licensed personnel qualified to undertake storage, removal, transportation, disposal, and other remedial work required by, and in accordance with, laws and regulations. e. Forward to engineer, copies of reports, permits, receipts, and other documentation related to remedial work. f. Notify such agencies as are required to be notified by laws and regulations within the time stipulated by such laws and regulations. g. File requests for adjustments to contract time and contract price due to the finding of hazardous materials in the work site in accordance with conditions of contract.				
HM-2	Prior to operation, the Contractor shall complete	Prepare Hazardous	Prior to	Retain copy of	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	and submit a Hazardous Materials Business Plan to City staff or their designee, and the County Department of Environmental Health. As a component of the Hazardous Materials Business Plan, detailed procedures for handling and storage of hazardous materials used on site, and response to emergency or accidental releases of hazardous materials used on site shall be included.	Materials Business Plan	operation, and for the life of the project	approved plan in file	
NOISE					
NS-1	Prior to initiation of construction activities, the project Contractor shall prepare a Noise Control Plan which will include Noise Reduction BMPs for all phases of construction. The plan shall be submitted to the City for approval and shall include the following Noise Reduction BMPs: a. Limit the operation of heavy equipment and loud activities to the hours of 7:00 AM to 6:00 PM; b. Shield especially loud pieces of stationary construction equipment; c. Locate portable generators, air compressors, etc. away from sensitive noise receptors; d. Limit grouping major pieces of equipment operating in one area to the greatest extent feasible; e. Place heavily trafficked areas such as the maintenance yard, equipment, tool, and other construction oriented operations in locations that would be the least disruptive to surrounding sensitive noise receptors; f. Ensure that all equipment items have the manufacturers' recommended noise	Prepare Noise Control Plan	Prior to and during construction	Document compliance in construction monitoring report	City

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	abatement measures, such as mufflers, engine covers, and engine vibration isolators intact and operational. Internal combustion engines used for any purpose on or related to the job shall be equipped with a muffler or baffle of a type recommended by the manufacturer; and, g. Conduct worker-training meetings to educate and encourage noise awareness and sensitivity. This training should focus on worker conduct while in the vicinity of sensitive receptors (i.e. minimizing and locating the use of circular saws in areas adjacent to sensitive receptors and being mindful of shouting and the loud use of attention drawing language).				

Attachments are available on the City of Paso Robles website at:

http://www.prcity.com/government/departments/publicworks/wastewater/index.asp

MONTEREY COUNTY

WATER RESOURCES AGENCY

PO BOX 930
SALINAS , CA 93902
(831)755-4860
FAX (831) 424-7935

CURTIS V. WEEKS
GENERAL MANAGER

STREET ADDRESS
893 BLANCO CIRCLE
SALINAS, CA 93901-4455

May 3, 2010

Susan DeCarli
City Planner - City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446

Subject: City of Paso Robles Wastewater Treatment Plant Proposed Upgrade

Dear Ms. DeCarli,

This letter is in response to the Mitigated Negative Declaration proposed for the City of Paso Robles Wastewater Treatment Plant Upgrade. The Monterey County Water Resources Agency (MCWRA) has just completed a project known as the Salinas River Diversion Facility (SRDF) located on the lower Salinas River. The SRDF will divert water released from Nacimiento and San Antonio Reservoirs for irrigation purposes in the lower Salinas Valley. The SRDF will operate seasonally, from April through October of each year. Salinas River surface water flow at Paso Robles can reach the SRDF, particularly during wet spring months.

The MCWRA supports the near-term upgrades to meet Salinas River discharge requirements proposed for the City of Paso Robles Wastewater Treatment Plant described in the *Public Review Draft Initial Study / Mitigated Negative Declaration* dated February 2010. We also support upgrading the City's plant to the tertiary treatment level.

The MCWRA requests that the SRDF Operator be notified within 8 hours if the City's treatment plant discharge requirements to the Salinas River are exceeded at any time. Please notify the SRDF Operator at the telephone number below:

SRDF Operator: **Monterey Regional Water Pollution Control Agency**
831-883-6166 (Control Room 24 hr - 7 day/week answered number)

If you have any questions, please contact Mr. Chris Moss or Mr. Manuel Saavedra of my staff at 831-755-4860.

Sincerely,

Curtis V. Weeks
General Manager

RESOLUTION NO. 10-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY PASO ROBLES
ADOPTING A MITIGATED NEGATIVE DECLARATION
FOR THE CITY OF PASO ROBLES WASTEWATER TREATMENT PLANT UPGRADE
APNs: 008-021-006; 008-051-002; -004; -026

WHEREAS, the City of El Paso de Robles (City) owns, maintains and operates a 4.9 million gallon per day capacity secondary wastewater treatment plant (WWTP) at 3200 Sulphur Springs Road in Paso Robles; and

WHEREAS, the City is permitted to operate its WWTP under Waste Discharge Requirements Order No. R3-2004-0031 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0047953; and

WHEREAS, most of the existing WWTP is over 37 years old and is not capable of consistently complying with the current discharge requirements; and

WHEREAS, the City has prepared a plan to upgrade the existing WWTP to comply with current and anticipated water quality regulations and implement the City's Integrated Water Resources Plan; and

WHEREAS, the City prepared an environmental analysis on the proposed WWTP upgrade to evaluate potential environmental impacts that may result from upgrading the facility; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study and a Draft Mitigated Negative Declaration was prepared and circulated for public review and comment; and

WHEREAS, public comments were received from the Monterey County Water Resource Agency, in regard to the Draft Mitigated Negative Declaration (MND) and Initial Study, and were responded to accordingly; and

WHEREAS, mitigation measures have been incorporated into the MND to address potential impacts to: aesthetics; air quality; biologic resources; cultural resources; geology and soils; hazards and hazardous materials; and noise that may result from this project to mitigate potential impacts to a less than significant level; and

WHEREAS, Public Notice of the proposed Draft MND was posted as required by Section 21092 of the Public Resources Code; and

WHEREAS, a public hearing was conducted by the City Council on May 18, 2010, to consider the Initial Study, the proposed MND, and to accept public testimony on the project and environmental determination; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The City Council of the City of Paso Robles hereby finds, based upon the information contained in the Initial Study and Mitigated Negative Declaration for the proposed Wastewater Treatment Plant Upgrade, and after consideration of all comments and testimony in such Mitigated Negative Declaration, there is no substantial evidence that the proposed project will have a significant effect on the environment. This finding reflects the independent judgment and analysis of the City Council.

SECTION 2. The City Council hereby approves and adopts the Mitigated Negative Declaration for the Wastewater Treatment Plant Upgrade. This approval and adoption is contingent upon the implementation of all the mitigation measures identified in the Mitigated Negative Declaration.

SECTION 3. The City Council hereby directs the City Clerk to file a Notice of Determination with the Clerk of San Luis Obispo County.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 18th day of May 2010, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Duane Picanco, Mayor

ATTEST:

_____
Lonnie Dolan, Deputy City Clerk

I:\PWD\Staff Reports\a2010\10-05-18 CEQA for WWTP Upgrade, Attch 3, Resolution.doc

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

Newspaper: Tribune

Date of Publication: April 5, 2010

Hearing Date: May 18, 2010 (City Council)

Project: Notice of Intent to Adopt a Mitigated Negative Declaration (City of Paso Robles Wastewater treatment facility Upgrade)

I, Lonnie Dolan, employee of the Community Development Department, Planning Division, of the City of El Paso de Robles, do hereby certify that this notice is a true copy of a published legal newspaper notice for the above named project.

Signed: _____
Lonnie Dolan

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CITY OF EL PASO DE ROBLES

NOTICE OF PUBLIC HEARING

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold a Public Hearing on Tuesday, May 18, 2010, at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to consider adoption of a Mitigated Negative Declaration (statement that there will be no significant environmental effects with mitigation measures incorporated) in accordance with the provisions of the California Environmental Quality Act (CEQA) for the following project:

The City of Paso Robles proposes to upgrade the existing wastewater treatment facility. The treatment plant will be upgraded to an advanced secondary treatment process in the near term to meet Salinas River discharge requirements, and be set up to add tertiary treatment facilities to produce recycled water in the long term. (APN 008-021-006; 008-051-002; -004; -026)

The 30-day public review period is: April 5, 2010 through May 4, 2010. The proposed Mitigated Negative Declaration may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction.

Written comments on the proposed Mitigated Negative Declaration may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this notice, please call Susan DeCarli at (805) 237-3970, or email at sdecarli@prcity.com.

If you challenge the Mitigated Negative Declaration application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at or prior to the public hearing.

Susan DeCarli, AICP
City Planning Manager
April 5, 2010 6879282

300' Property Notice Certification

AFFIDAVIT

OF MAIL NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Susan DeCarli, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for City of Paso Robles Wastewater Treatment Plan Upgrade, Mitigated Negative Declaration on this 2nd day of April, 2010.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: Susan DeCarli
Susan DeCarli