

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: PD 08-002, CUP 08-002, VESTING TENTATIVE TRACT 2962  
(DESTINO PASO - HANDLEY)

DATE: FEBRUARY 10, 2009

Needs: To consider an application filed by North Coast Engineering, on behalf of Jerry and Katherine Handley, to consider the following applications:

- **Planned Development 08-002 & Conditional Use Permit 08-002:** Request to construct a resort project consisting of two 50-room hotels, one 16-room “Boutique Hotel” and 175 casitas units totaling 291 rooms. The project would include accessory uses such as restaurant, spa, conference center, trails, pools, parking lots and other accessory uses.
- **Vesting Tentative Tract Map 2962:** Request to subdivide the two existing parcels totaling approximately 40.33 acres, into 9 parcels. Additionally, the tract map proposes to create 58 condominium parcels that would allow for separate ownership of the casitas units. The ownership of the casitas units would be similar to a time-share unit, where the length of stay would be no longer than 30 days.

- Facts:
1. The project is located at 3340 & 3350 Airport Road (see Attachment 1, Vicinity Map).
  2. The 40.33-acre site has a General Plan Land Use designation of Parks and Open Space with a Resort Lodging Overlay (POS-R/L). The Zoning designation is also Parks and Open Space with a Resort Lodging Overlay (POS-R/L).
  3. The site is located within the Airport Overlay area as indicated on the General Plan Land Use map, and portions of the site are located within Airport Safety Zones 2, 3 & 4.
  4. According to Table 21.16.200, Permitted Use Table, transient lodging, including hotels and motels are permitted in the POS zoning district with the approval of a Conditional Use Permit (CUP) by the Planning Commission. The Airport Land Use Plan, considers transient lodging compatible in safety zones, 3 and 4, subject to complying with maximum density of persons per acre requirements.

5. Section 21.18B, Resort Lodging Overlay District, states that a resort/hotel with ancillary land uses may be approved by the Planning Commission through the development plan (PD) process.
6. In conjunction with the PD and CUP applications submitted for the project, the applicants have also submitted for Vesting Tentative Tract Map 2962. The subdivision would divide the existing 40-acre site into 9 separate parcels, ranging in size from 1.28 acres to 10.86 acres. The applicant's intent for subdividing the site into the nine separate parcels is for financing purposes and so that the project could be developed in nine phases.
7. Additionally, Tract 2962 would create 58 condominium units which would allow for individual ownership of the 175 casitas units (the condo units are proposed as clustered units of 2 to 4 units per building). Discussion regarding the ownership program is provided in the analysis and conclusions section of this report. Additionally the applicant's have provided a narrative and flow chart to help explain the ownership structure, see Attachment 4.
8. Planned Development 08-002 and CUP 08-002 would establish the architectural, landscape and site development standards for the entire project.
9. In order to insure that each phase will be developed in a manner consistent with the PD and CUP, a Master Developer and Resort Operator is proposed to govern all development, operations and maintenance of the resort.
10. As part of the contract for an owner/investor to invest in the project, the owner would be required to enter into a legal agreement to surrender their individual rights to develop and operate their property and the resort to the Master Developer and Resort Operator.
11. The project was reviewed by the Development Review Committee (DRC) at their meetings on January 26, 2009 and February 2, 2009.
12. 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 Mitigated Negative Declaration was prepared and circulated for public review and comment. Based on the information and analysis contained in the Initial Study (and comments and responses thereto), a determination has been made that potentially significant environmental impacts can be mitigated to a less than significant level, and that with implementation of mitigation measures that the Destino Paso project may qualify for issuance of a Mitigated Negative Declaration.
13. The proposed mitigation measures are related to biological resources, traffic, air quality and hazard related impacts. Mitigation measures have been incorporated into the attached Resolution to approve the Mitigated Negative Declaration. The Handley's have signed a Mitigation Agreement agreeing to satisfy all of the measures as provided in the resolution.

14. As part of the circulation of the Initial Study with the State Clearinghouse, the City received three letters from state agencies commenting on the project. Staff's responses to the letters are listed below:
  - a. A letter was received by the Native American Heritage Commission (NAHC), requesting that the project needs further review and consultation with the NAHC regarding cultural impacts. Since this project satisfied the NAHC requirements for the prior General Plan Amendment and Rezone of this property, Staff confirmed with the NAHC that no further review is necessary.
  - b. The Dept. of Transportation Aeronautical Division submitted a letter (Attachment 6) suggesting that the project should be reviewed by the County Airport Land Use Commission (ALUC) to insure compatibility with the Airport Land Use Plan (ALUP). The prior GPA/Rezone was previously considered by the ALUC, and a determination was made that the change in designations of the property from Agriculture (AG) to Parks and Open Space (POS) was consistent with the ALUP provided proposed resort improvements would not be "residential" in nature. Furthermore, the project has been conditioned for compliance with the Airport Safety Zones, transient occupancy requirements, including length of stay and standard airport compatibility requirements. The project was also reviewed by the City's Airport Advisory Committee, where the Committee concluded that the project would be consistent with the Airport Land Use Plan, with the conditions of approval included in the project resolutions.
  - c. A letter was also received from the Regional Water Quality Control Board (RWQCB), provided by e-mail, (Attachment 7). The letter suggests some minor language be added related to future permits that may be required prior to the construction of the project. Staff included the language as requested. Additionally, the RWQCB acknowledged the use of Low Impact Development techniques in the project design for managing storm water.

Analysis  
and

Conclusion: In October 2006 the City approved General Plan Amendment 06-002 and Rezone 05-006 changing the designation of the Handley property from AG to Parks and Open Space (POS). At the time of the GPA and Rezone, the project was considered by the County Airport Land Use Commission, where the request to change the designations were found to be consistent with the Airport Land Use Plan. During that process, the ALUC expressed concern that the proposed casitas units were designed much like a dwelling which are prohibited by the Airport Land Use Plan. The applicants assured the Commission that the casitas units would be transient in use, not residential.

Since the GPA and Rezone, the Handley's received permits from the City to construct the existing warehouse building and a new care taker residence (for the plant nursery that was proposed at that time) along with the access road. A recent water line has also been installed extending a new line from Airport Road through the site to the southeast under

Highway 46 East to Vina Robles. There is also an older home, barn and pond on the site. The site has historically been used for cattle grazing.

The proposed Destino Paso project would utilize the existing buildings by turning the existing warehouse building into a new conference center building and the newer residence would be converted to one of the casitas. The existing pond and walking paths would be improved and incorporated into the new project as well. Additional paths will be provided with the project that would allow pedestrian and golf cart circulation within the site as well as connections to the neighboring Wine Country RV Park, Firestone Winery and Ravine Water Park.

The project has been designed with a California Mediterranean architectural style. Design Guidelines have been provided that will establish the architectural character and quality expectations as each phase is developed. The Design Guidelines would be used as a tool to guide future phases to be developed, as well as for the City to use to insure consistent overall development with the Destino Paso Master Plan (PD 08-002 and CUP 08-002).

The grading and drainage of the site has been designed to utilize Low Impact Design (LID) techniques that helps allow water run-off to infiltrate into the ground on-site, and also to provide a system to clean water run-off before it is conveyed to the Huer Huero Creek. The LID design was reviewed by David Innis, of the Regional Water Quality Control Board; Mr. Ennis noted he was pleased of that the project was designed using LID techniques.

### **Resort vs. Residential Land Uses**

The ALUP allows transient uses such as hotels and motels within Airport Safety Zones 3 and 4 as long as the maximum density of person per acre is not exceeded. North Coast Engineering has provided an exhibit (Attachment 5) that indicates that the project would be under the maximum number of people allowed per acre. A portion of the project is located within Safety Zones 2, and although the ALUP does not allow structures to be built within Zone 2, it does allow for improvements such as parking lots and landscaping. The Destino project has been designed to only include parking lots and landscaping within Zone 2.

While designed as a “transient use,” the project has many features that are also characteristic of residential projects, which are clearly prohibited in the boundaries of the Airport Land Use Planning Area. For instance, in addition to the request to subdivide the property into nine parcels for investment/financing purposes, the applicant is proposing to file a condominium map to sell 58 casitas units. In addition, the applicant has proposed that 10 percent of the units contain full kitchens.

Resort condominiums and kitchens in resort units are not uncommon. However, the location of this site in the Airport Area requires clear control that these units will never be used for residential purposes. The key comes down to the management structure of the resort and conditions of approval. The City’s worst fear would be an unforeseen financial failure of the resort, leaving the City with 58 legal property owners of condominium units with kitchens and their desire to convert, live, sell, etc.



There has been one other case where individual ownership of resort interests has been proposed. The Vaquero resort (former Black Ranch development) proposed a different concept and management structure that could be applied here. The project is similar in that they are looking at individual casitas units. They are also looking at offering ownership interest as a way to generate needed capital to build the project. However they have agreed to exclude kitchens from their resort units. In addition, 50% ownership of individual units will remain with the resort thereby addressing condo owners feeling they have “ownership rights” to convert to residential use in the future.

The Commission has the ability to condition the project to:

- Eliminate or restrict kitchen facilities
- Prohibit the filing of a condominium map or structure the ownership interests to ensure the resort “remains in control”

The project was considered by the City’s Airport Advisory Committee, where the discussion of the subdivision, kitchens and length of stay were discussed. Planning Staff indicated to the Committee that conditions of approval would be added to the project that would limit kitchens to kitchenettes (allowing only a sink and a small refrigerator, but stoves would be prohibited). Additionally Staff explained to the Airport Advisory Committee that the Municipal Code limits transient occupancy to individual stay of no more than 30 consecutive days. The Committee was comfortable with the project provided conditions are established to limit the length of stay and limit units to kitchenettes.

Another concern is how to insure the project is developed consistent with the master development plan once multiple owners (of up to 9 parcels) are involved. What happens if the future owner of the parcel with the restaurant no longer wants to construct a restaurant? How will nine property owners work together to develop a resort that needs to interrelate in order to succeed? The City has worked closely with the applicants to develop answer these questions and craft measures that would insure development consistency.

The following conditions are proposed to be recorded against the title of each parcel and condominium unit:

- *Prior to or in conjunction with the recording of Tract 2962, a Constructive Notice shall be recorded against each parcel notifying future property owners that Planned Development 08-002 and CUP 08-002 have been approved for the development which establishes architectural, landscape and site development standards. In addition, this Constructive Notice notifies future property owners that a Master Developer and Resort Operator Agreement will be in place that will require future property owners to surrender all control of Resort operations and Management to the Master Developer and Resort Operator.*
- *Prior to the issuance of building permits for each phase of the casitas units, the developer shall record the condominium map (assuming authorized by Planning Commission action) corresponding with that phase. Prior to or in conjunction with*

*the recordation of any phased condominium map, a Constructive Notice shall be recorded against each condominium notifying future owners that a Master Developer and Resort Operator Agreement will be in place that will require future property owners to surrender control of Resort operations and Management to the Master Developer and Resort Operator.*

## **Site Planning and Design**

The applicants are proposing the removal of two oak trees for this project. The trees are within the Airport Road right of way and would need to be removed in order to allow the required road improvements. A&T Arborists have prepared a report for the project which indicates that the two trees are in poor health and recommends the removal of the trees. The request to remove the trees will need to go before the City Council for final review and approval. No other oak trees are proposed for removal, and mitigation measures have been incorporated into the project to insure protection of all other oak trees on the site.

The project has been reviewed by the DRC on two separate occasions, including visiting the site on February 2, 2009. The DRC shared the same concerns of staff, mentioned above related to the ownership, future development consistency with the Master Plan and kitchens. At the first meeting, the DRC requested that the applicants provide additional information regarding the architectural details of the buildings and to provide a written statement to clarify the ownership structure. Additionally, the applicants requested that as each phase of the project is submitted, that the phases be allowed to be considered and approved by the DRC instead of being required to have each phase be approved by the Planning Commission. The DRC was comfortable with the future development phases being reviewed by the DRC since the proposed project includes Design Guidelines for site and architectural design that clearly articulates the design expectations in terms of architectural quality, materials, site planning, landscaping and other project details. The DRC was generally more comfortable with the ownership structure, but concluded that this issue will need further discussion with the full Planning Commission. Additionally the issue of kitchens was discussed further, the applicants were amenable with reducing the kitchens from a full kitchen with oven/stove, but requested that a two-burner stove top be allowed. The DRC was open to discuss the stove top request, but felt that the matter needed to be discussed with the full Planning Commission.

See the Attachment 2, memo from John Falkenstien, City Engineer discussing the requirements of the developer in relation to the timing of the installation of sewer, water lines, road improvements, traffic mitigation, grading, drainage and storm water quality.

The General Plan, Zoning Code and Economic Strategy all support transient lodging uses and would support and encourage the development of a resort project on this POS designated site. The challenge with this project is insuring compliance with the Airport Land Use Plan, and having enough restrictions added to the project that would prevent residential-type uses if the resort project did not come to fruition, or was not successful in the future. Staff has provided language that should prevent the conversion of units to residences, however the issues noted in this report should be discussed further.

Policy

Reference: General Plan Land Use Element; General Plan Update EIR certified in 2003; Zoning Code and California Environmental Quality Act (CEQA), Airport Land Use Plan, Economic Strategy.

Fiscal

Impact: None

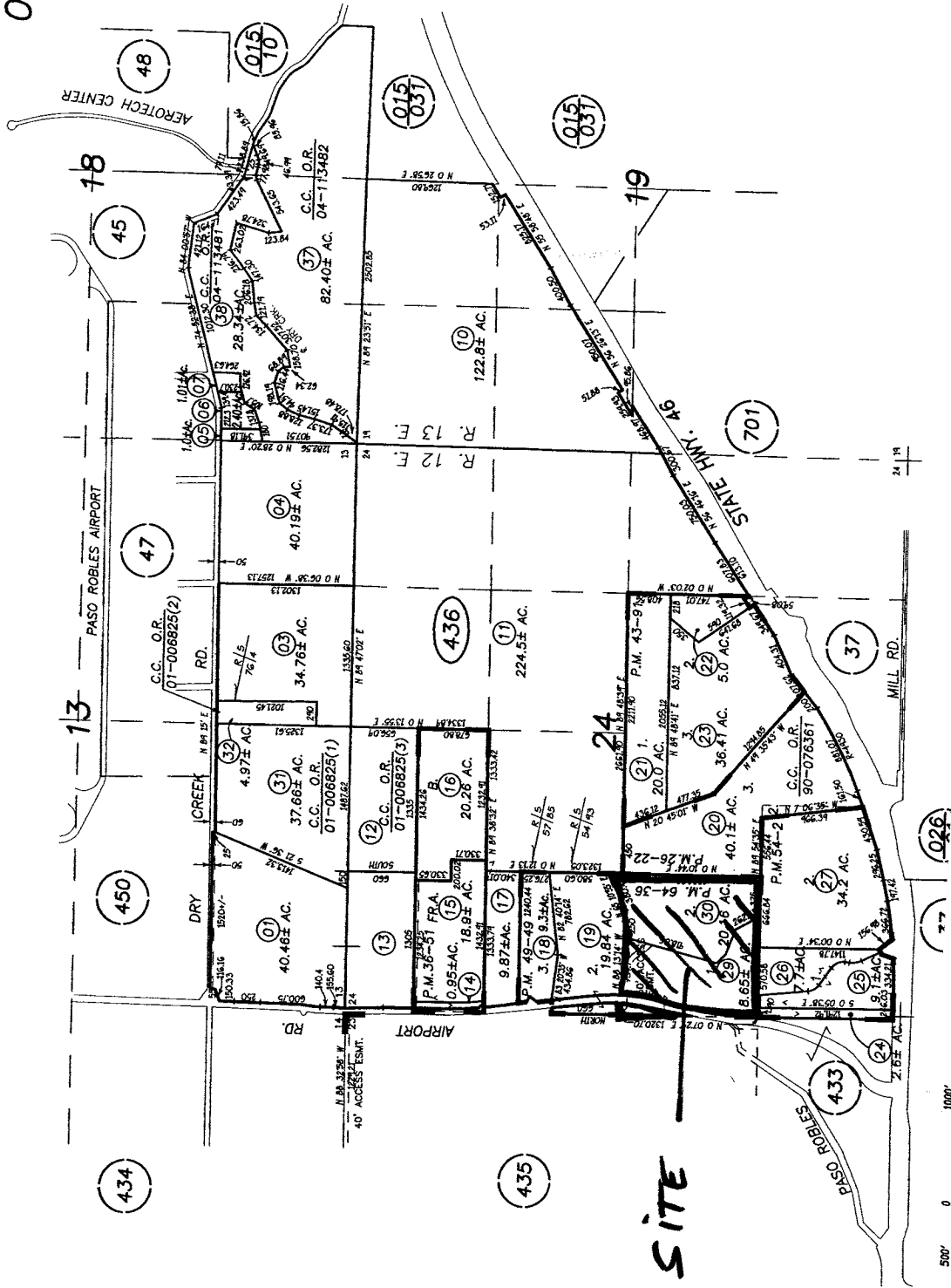
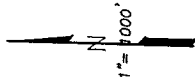
Options: After consideration of all public testimony, that the Planning Commission considers the following options:

- a.
  1. Adopt a Resolution approving a Mitigated Negative Declaration for the project;
  2. Adopt a Resolution adopting PD 08-002, subject to site specific and standard conditions of approval;
  3. Adopt a Resolution adopting Conditional Use Permit 08-002, subject to site specific and standard conditions of approval;
  4. Adopt a Vesting Tentative Tract 2962, subject to site specific and standard conditions of approval;
- b. Amend, modify or reject the foregoing option.

Attachments:

1. Vicinity Map
2. City Engineer Memo
3. Applicant's Project Description
4. Ownership Structure Exhibit
5. Airport Safety Zone Exhibit
6. Department of Transportation Aeronautical Division Letter
7. Water board E-mail
8. Resolution approving a Mitigated Negative Declaration
9. Resolution approving PD 08-002
10. Resolution approving CUP 08-002
11. Resolution approving Vesting Tentative Map 2962
12. Newspaper and Mail Notice Affidavits

025-436



500' 0 1000'

THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY

REVISIONS	DATE
06-191	12-05-05
07-290	01-03-07
07-319	02-28-07
07-319	03-27-07

CITY OF PASO ROBLES  
 ASSESSOR'S MAP COUNTY OF  
 SAN LUIS OBISPO, CA.  
 BOOK 025 PAGE 436

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**Attachment 1**  
 Vicinity Map  
 PD 08-002, CUP 08-002, Tract 2962  
 (Destino Paso - Handley)

# MEMORANDUM

**TO:** Darren Nash  
**FROM:** John Falkenstien  
**SUBJECT:** PD 08-002 Destino Resort, Handley  
**DATE:** February 2, 2009

## **Grading, Drainage and Storm Water Quality**

The City is obligated by the Regional Water Quality Control Board to require that this project implement low impact development best management practices to mitigate impacts to receiving water courses. Low impact development practices are necessary to limit the increase in the rate and volume of storm water run-off.

As the City continues to negotiate a long-term hydro-modification mitigation strategy with the Regional Board, standards for control of storm water run-off will change. The Destino Resort will be subject to hydro-modification criteria in effect in the City at the time of development of the project.

## **Traffic**

The traffic study dated April, 2008, is based primarily on information found in the study for the Regency Center produced in August, 2007. These studies indicate that all of the intersections along the Highway 46E corridor will deteriorate below acceptable levels as defined by the current circulation element of the General Plan.

The City is in the process of developing a new City-wide traffic model for the purposes of updating the circulation element. In addition to verification of current studies, the model will test the effectiveness of a series of road connections not currently included in the Circulation Element. These include improved access across the highway, most likely at Union Road, and parallel routes that may help mitigate impacts of City developments on highway 46E.

Caltrans is currently working on a Corridor Study of Highway 46E. This document will also suggest improvements along the highway that should be included in an impact fee program.

In order to mitigate the impacts of traffic generated by the Destino Resort the applicant should participate in the construction of parallel routes and Corridor Study projects that are ultimately recommended. Participation typically occurs through impact fees. In accordance with General Plan policy, the City Council will update the traffic mitigation fees in accordance with an updated Circulation Element. The applicant should be aware that mitigation fees are likely to increase substantially from current levels. Fees are collected upon occupancy in the amount in effect at that time.

In order to establish a traffic mitigation strategy in lieu of impact fees that have yet to be adopted, the Destino Resort could be subject to a specific level of participation in the construction of a bridge over the Huer Huero. This bridge will be a key component of a parallel route that will relieve traffic on the highway. The level of participation will be set at \$1,600,000.

**Attachment 2**  
City Engineer Memo  
PD 08-002, CUP 08-002, Tract 2962  
(Destino Paso - Handley)

## **Streets**

Typically all development projects construct improvements to adjacent streets in accordance with the Circulation Element. In this case the Circulation Element designates Airport Road as an arterial road. Standards for arterial roads include four lanes with a median. Due to topographic constraints and projected traffic demands, Airport Road is proposed by the applicant as a two lane road with bike lanes. This design appears appropriate for both traffic calming and environmental compatibility. The proposed design stops short of the property frontage on the south. Improvements to Airport Road should extend to the boundary of the project and should then transition into existing improvements.

The applicant proposes that Airport Road will be constructed in the fourth phase of development. This is inconsistent with the provisions of the Municipal Code which provides that adjacent road improvements occur with building permits, and therefore the improvements should be made with the first phase of development.

## **Sewer**

The nearest sewer available to the project is south of Dry Creek Road roughly one-half mile west of Airport Road. For many years, the City has had plans to extend a sewer main in Dry Creek Road from the City's lift station south of the State prison; easterly to serve all airport lease sites and Aerotech Way. The applicant has provided a schematic plan for connection to the Dry Creek Road sewer line. This schematic plan should be included in the environmental analysis so that the applicant can move forward with the resort.

The applicant proposes to serve the first phase of the project, composed of 19 units, with a septic system. In accordance with the Municipal Code council approval is required for all septic systems. While the council has routinely approved applications for septic systems on single family residences in remote areas of the City, the council has not approved a septic system for multi-family or hotel use. The council denied a similar application for a hotel by Vina Robles on their Mill Road property.

We will recommend to the Council that any resort development on the Handley property be connected to sewer. All existing developments in the area including the Ravine Water Park, the Wine Country RV Park, Firestone Winery and the Vina Robles hospitality center are obligated to connect to sewer when available. Therefore, the Destino Resort will have partners in providing sewer to the area.

## **Water**

Water is available from a 12-inch water main in Airport Road and a 12-inch line recently installed on-site on the way to Vina Robles. While a domestic supply is readily available, volumes for fire protection are limited to the delivery capacity of the Airport Road main. Eventually a new water main will be extended from the storage tanks at Golden Hill Road to the airport area. Until that time, pumps for fire protection volumes will likely be needed.

### **Recommended Conditions**

Hydro-modification mitigation shall be provided in accordance with the City's storm water management ordinance at the time of development. Low impact development best management practices shall be incorporated into the project grading plans in accordance with City standards at the time of permitting.

The project will be subject to traffic impact and other development impact fees in effect at the time of occupancy of the project. Traffic mitigation will include the deposit of \$1,600,000 towards construction of a bridge over the Huer Huero proportionally applied to the incremental development of the project. When transportation impact fees are updated by council action, the final fee obligation shall be equal to that defined by the new fee structure.

Prior to occupancy of Phase One improvements, Airport Road shall be constructed in general conformance to the preliminary plans. Further improvements extending to the southerly boundary should be reviewed for feasibility and if feasible, shall be constructed in accordance with plans approved by the City Engineer with the second phase of the project. (Airport Road improvements are currently included in the AB 1600 transportation needs list and are therefore subject to reimbursement from that fund).

Prior to occupancy of Phase One improvements, sanitary sewer shall be provided to the project in accordance with plans approved by the City Engineer. Subject to council action and agreements on file with the City, the developer shall be entitled to reimbursements for the design and construction of the public sewer line. The City will provide or acquire all property and easements necessary for construction of the sewer line.

Prior to occupancy of Phase One improvements, all overhead utility lines adjacent to and currently serving the site, shall be relocated underground.

# DESTINO PASO

Paso Robles

JUN 13 2008

Planning Division

## A DESTINATION RESORT FOR PASO ROBLES

June 13, 2008

### Introduction

Destino Paso is envisioned to be a destination resort to provide recreational opportunities, dining facilities, conference facilities, wellness opportunities, extensive open space, and a range of accommodation opportunities to serve the growing tourist market for the City of El Paso de Robles. The City of Paso Robles has made destination tourism one of its primary goals, and this proposed resort provides amenities and attractions to complement the range of services and attractions that have been envisioned in the City's Economic Strategy and confirmed in the San Luis Obispo County Economic Forecast.

### Project Description

Destino Paso will provide a wide range of accommodations ranging from small intimate casitas, boutique hotel rooms, and traditional hotel rooms. All the accommodations are intended to be for transient occupancy with a maximum stay of 30 days. The accommodations proposed for the project falls into three categories.

#### - Accommodations

- **Casitas**  
Two main areas of clustered casitas are proposed, each with a recreation center with a swimming pool and spa. Additional casitas are located to complement the Conference Center/Poolside Pavilion. The casitas are comprised of a combination of single-story duplex units and two-story fourplex units. All the casitas have patios and/or decks and are arranged in clusters to provide a community feel yet provide individual private spaces for the guests. Many of the casitas provide tremendous views of the surrounding vineyards and on-site open space, and provide ready access to the on-site recreational facilities, as well as on-site trails and open space.
- **Boutique Hotel**  
A boutique hotel consisting of 16 rooms is proposed to be located at the southwestern portion of the property overlooking the existing lake. It is envisioned that this site could provide superior, private accommodations for small groups, weddings, family reunions, and corporate retreats. The boutique hotel will have a large lawn and gathering area, as well as a large patio to provide a serene environment for private weddings and small functions. Ample parking, as well as overflow parking, is accommodated on the site.

### **Attachment 3**

Applicant Project Description  
PD 08-002, CUP 08-002, Tract 2962  
(Destino Paso - Handley)



- **Hotel**  
Two hotels of 50 rooms each are proposed to be constructed next to the proposed restaurant on the northwest corner of the property. The two hotels would be two-stories and would be of a conventional hotel format with internal courtyards, pools, on-site retail facilities, and recreational facilities.

- **Resort Amenities**

- **Spa**  
A full featured spa is proposed in the upper area of the resort. With magnificent views of the oak woodland and surrounding vineyards the spa will be the center of wellness and relaxation. Located on its own parcel, it is intended that the spa will be operated by a specialized operator. Services envisioned are massage, aromatherapy, skin care, facial and body therapies, and hair and scalp treatments.
- **Restaurant**  
Destino Paso proposes a 5,700 sq. ft. restaurant located at the entrance of the project at the northwest corner of the property. This restaurant is designed to be a sit-down restaurant, which will accommodate diners not only from within the project, but would anticipate a number of visitors from the area participating in the dining experience. The restaurant will have views overlooking the Huer Huero Creek, would be in close proximity to the two proposed hotels, and would be readily accessible from all of the other accommodations proposed for the site.
- **Recreation Center**  
A recreation center with a pool, spa, office, kitchen, restrooms, pavilion, and shaded veranda area is proposed for the first phase of the project. It is intended to provide recreation and wellness amenities for the visitors to the resort.
- **Poolside Event Pavilion**  
The existing warehouse on the project is intended to be completely remodeled and converted to a conference and event center. Because of the size and nature of the building, considerable flexibility is attainable for use for conferences, training sessions, small parties and weddings. The proximity to the recreation center provides opportunities for additional flexibility.

- **Design Approach**

- **Low Impact Development**  
Numerous techniques for Low Impact Development (LID) are proposed for the project. In particular, there are many areas proposed for biofiltration to capture and clean storm and irrigation water before percolating into the ground or releasing from the site. Stormwater in many cases is routed through a series of biofiltration systems to further enhance cleansing abilities. A large area located near Airport Road, designated as a passive recreational area serves as a significant biofiltration area as well as a sediment trap to capture and treat stormwater pollutants on site. Additional biofiltration areas are proposed for the medians of Airport Road to capture and treat stormwater flowing off the paved

surface of the road. Hard surfaces are minimized to reduce runoff and permeable paving is anticipated in appropriate areas.

Design measures have been incorporated into the buildings to provide solar efficiency for both heating and cooling.

- **Open Space/Trail System**  
The project contains extensive areas of open space. Over half of the site or approximately 23 acres is to remain open space. This area includes oak woodlands with existing trails which would be improved. A blue-line stream feeds an existing lake. The open space provides serene recreational areas as well as acting as a buffer for the onsite buildings as well as the surrounding uses.
- **Circulation Improvements and Approach**  
The project proposes improvements to Airport Road, widening, adding bike lanes, sidewalks and walking paths. The design proposed has been done in consultation with the City Engineer and reflects the current thinking on pavement reduction and rural style road design. A median is proposed in the middle of the roadway and is intended to be used as a biofiltration area to help cleanse the runoff from the asphalt and concrete surfaces. Both right turn and left turn pockets, as well as acceleration lanes are proposed for safe access to and from the resort. The walking path on the west side of Airport Road provides access to the Ravine Water Park.

A city standard road (Beijo Way) is proposed through the resort to connect to the property to the east. A 60' wide Offer of Dedication to the City is proposed. All other roads and drives on the site are private and will be maintained by the owner.

A city standard transit stop with a shelter is proposed on Airport Road to provide access to and from the resort for both public transport, as well as other forms of private transit such as wine tours.

On site transport will be provided by golf carts. These carts will be driven by resort staff and will provide convenient transportation within the site for those who choose not to walk or are in need of assistance.

It is intended to work with the Ravine Water Park, local wineries, downtown businesses, shopping centers, golf courses, and other local attractions to provide a shuttle service to connect these uses and reduce motor vehicle traffic.

- **Project Utilities**  
The project site has access to City water through an existing 12" water line in Airport Road and a 12" waterline recently constructed in Beijo Way. Water is intended to be looped in the main sections of the project and it is intended that these water mains on site be built to city standards and be in a public water easement.

Wastewater is proposed to be handled by an onsite septic system in the first two phases, consistent with other projects in the immediate area. The septic system

will be abandoned and removed as soon as public sewer is available in Airport Road. Phase three of the project will not be constructed until the public sewer is available. It is anticipated that this project will contribute its fair share to the construction costs of this regional improvement.

### **Existing Property Description**

The proposed site of Destino Paso is located on Airport Road immediately north of the Wine Country R.V. Park. It is comprised of 40.3 acres and consists of several large, flat mesa areas and a significant large oak filled ravine, a lake, an existing home and outbuildings. The property is partially bounded on the west by Airport Road and access to the project is proposed by a new public street called "Beijo Way", which would connect at Airport Road and proceed easterly and connect to an existing property owned by William and Kenneth Munde. There are numerous oak trees on site, all of which are proposed to be protected and preserved with the exception of the trees necessary for the widening of Airport Road to meet City standards.

The current General Plan designation for the property is Parks and Open Space, and the current zoning of the property is Parks and Open Space with a Resort and Airport Overlay. The proposed uses are consistent with those zones.

The property is well situated for a destination resort being in very close proximity to the following tourist serving facilities:

- The Ravine Water Park
- Firestone Winery
- Eberle Winery
- Hunter Ranch Golf Course
- Barney Schwartz Park
- Robert Hall Winery
- Vina Robles Winery
- Airport Business Park
- Vacquero Resort

The project is also located a short distance from Highway 46 on Airport Road which is designated as an arterial road. It provides easy access from Highway 46, as well as the Paso Robles Airport.

### **Design Approach**

The design of Destino Paso was a collaborative effort of North Coast Engineering, firma Landscape Architecture, and Steven Puglisi Architects. A design charrette was held with the project team utilizing topographic mapping, oak tree mapping, and design information to collaboratively produce an initial site plan. The goals of the initial design process were:

- Develop a resort community sensitive to the existing land form.
- Provide a mixture of accommodations, recreational opportunities, culinary opportunities, and conference opportunities.
- Conform to the Airport Land Use Safety Zone restrictions.
- Provide for circulation improvements.
- Incorporate low impact development techniques such as biofiltration and minimization of impermeable surfaces.
- Develop a resort with a comfortable community feel.
- Provide for internal pedestrian and bicycle circulation.
- Provide for internal and external transportation opportunities, providing access not only within the site but connecting to existing tourist destinations.
- Structure the phasing of the project such that impacts could be mitigated as the project develops.

### **Airport Land Use Compatibility**

The proposed Destino Paso is located within the Airport Influence Area, specifically in Safety Zones 2, 3, and 4. No buildings are proposed within Safety Zone 2. In Safety Zones 3 and 4, buildings have been clustered in compliance with the policies of the Airport Land Use Plan.

### **Resort Operator**

It is the intent of the owners, and the advice of the various consultants to the project, to keep the entirety of the property under the control of one developer-resort operator. The “parceling” of the site is expressly for the purpose of facilitating the development and financing of the property in phases and in accordance with the restrictions in place on the various airport safety zones located within the site.

The approval to record an air-space condominium map, allowing for separate ownership of each Casita, is intended to facilitate the financing of the project not to promote full or part-time occupancy by the unit owners. Each Casita would be sold to an investor, most likely one motivated by a 1031 tax deferred exchange, who would be restricted from more than 30 days per year of personal usage of his unit. Each sold unit would be subject to a mandatory placement of the unit into a rental pool controlled by the resort operator. Owners of the Casitas are entitled to their pro-rata share of the net operating income generated from the pool of Casitas/guest room units. The marketing of the Casitas as pooled revenue/mandatory rental pool participation is done in strict compliance with securities and real estate law that governs such transactions.

## **Market Demand**

Among those contracted to assist in the development of this resort are two of the most highly regarded Consulting firms in the resort industry. Redwood Capital Advisors and PKF Consulting, it is clear from the analysis that there is clearly the support, environment and demand for a resort as proposed. It in effect bridges a gap between existing lower quality motels and the small, but very high end bed and breakfast accommodations currently offered in the area.

## **Community Financial Benefits**

The construction of the resort will greatly increase the assessed value of the property. It is estimated that the construction cost of the resort is approximately \$45,000,000. The resulting increase in property tax will benefit the community.

The most significant benefit to the City's General Fund will be in the form of Transient Occupancy Taxes collected from the resort.

- Estimated average room rents will be \$225 per night with 4% to 7% increase per year.
- At 60% occupancy the resort will generate approximately \$1,400,000 a year in additional revenue to the City.
- It is also estimated that millions of dollars will be spent each year by tourists in the local area.

**DESTINO PASO  
OWNERSHIP AND MANAGEMENT STRUCTURE**

The 40-acre property that will be Destino Paso is currently owned by Jerry and Kathie Handley. The Destino Paso Resort is designed to satisfy the goals and requirements of the City of Paso Robles General Plan and Land Use Ordinance as well as the Airport Land Use Plan. The development of this project will be consistent with the Planned Development currently under review. A Parcel Map, Condominium Map and Conditions, Covenants and Restrictions (CC&R's) will be recorded to guarantee that the development occurs in the way it was originally intended.

The Handleys are looking to joint venture with a large developer/investor to construct the project. Together, the Handleys and the large developer/investor will make up the Master Developer (MD). The Master Developer entity will maintain control over the development of the entire resort. The MD will own all of the parcels created by the parcel map and will develop the project as the market permits.

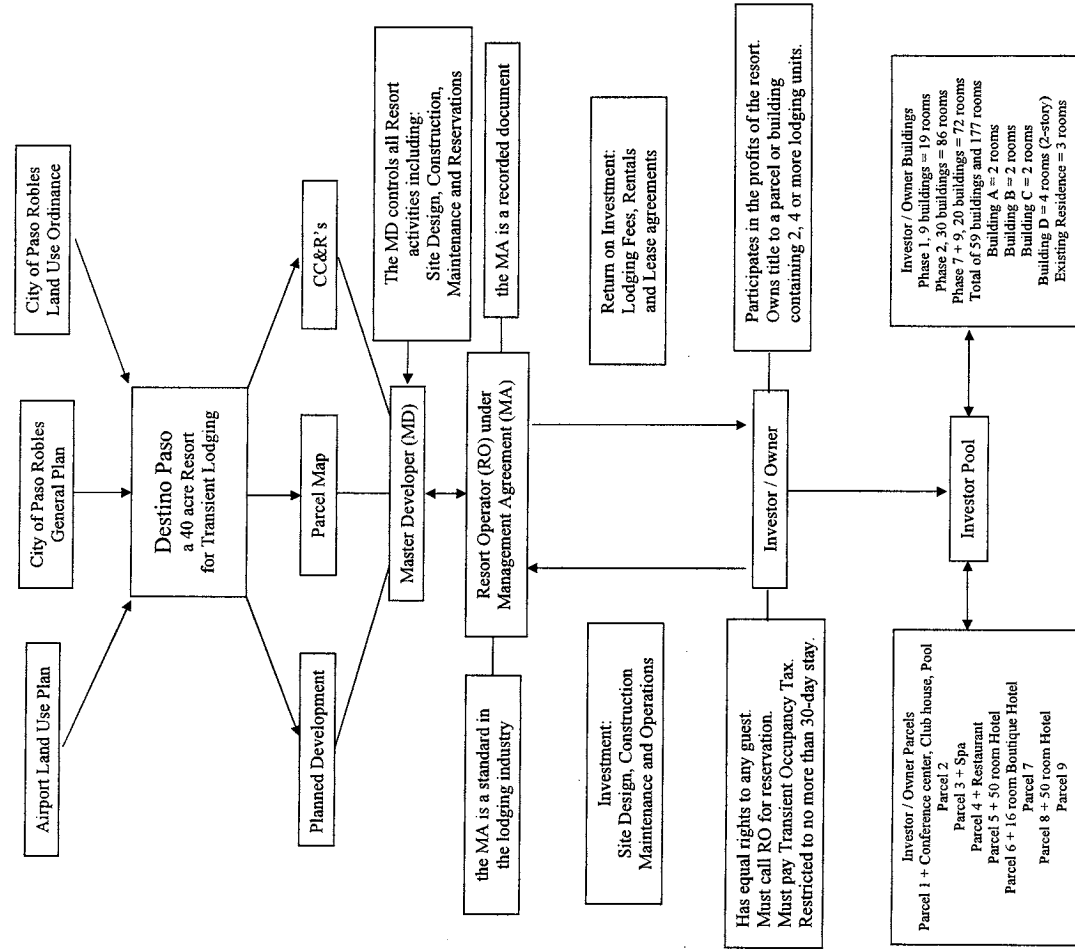
The Master Developer will select and enter into a contractual agreement with a Resort Operator (RO). The Management Agreement will outline the duties and restrictions of the RO. Duties will include resort operations and maintenance and management of the investor pool. The Management Agreement is a recorded document that binds the Master Developer to the Resort Operator.

To sustain the development of the resort, additional interested investors may purchase title ownership of a parcel or a visitor lodging building. The management and ownership flow chart to the right lists the different ownership opportunities to the right and left of the "Investor Pool" box. The investor pool will fund the development of the resort. This would include, but is not limited to: site design, construction, maintenance and operations. In exchange for their investments, the investors will receive profits in proportion to their investment. Returns are generated through lodging fees, rentals and lease agreements.

When an interested party chooses to invest in the resort, they are required to enter into a Unit-Owners Association Master Lease Agreement. The agreement is a recorded document that outlines an investor's occupancy rights. An investor does not have any greater rights to occupancy than a non-investor. They do not have keys to the visitor lodging unit that they invested in and are not guaranteed a reservation in their unit. An investor has no right to refurnish, rearrange or alter in any way any part of their unit.

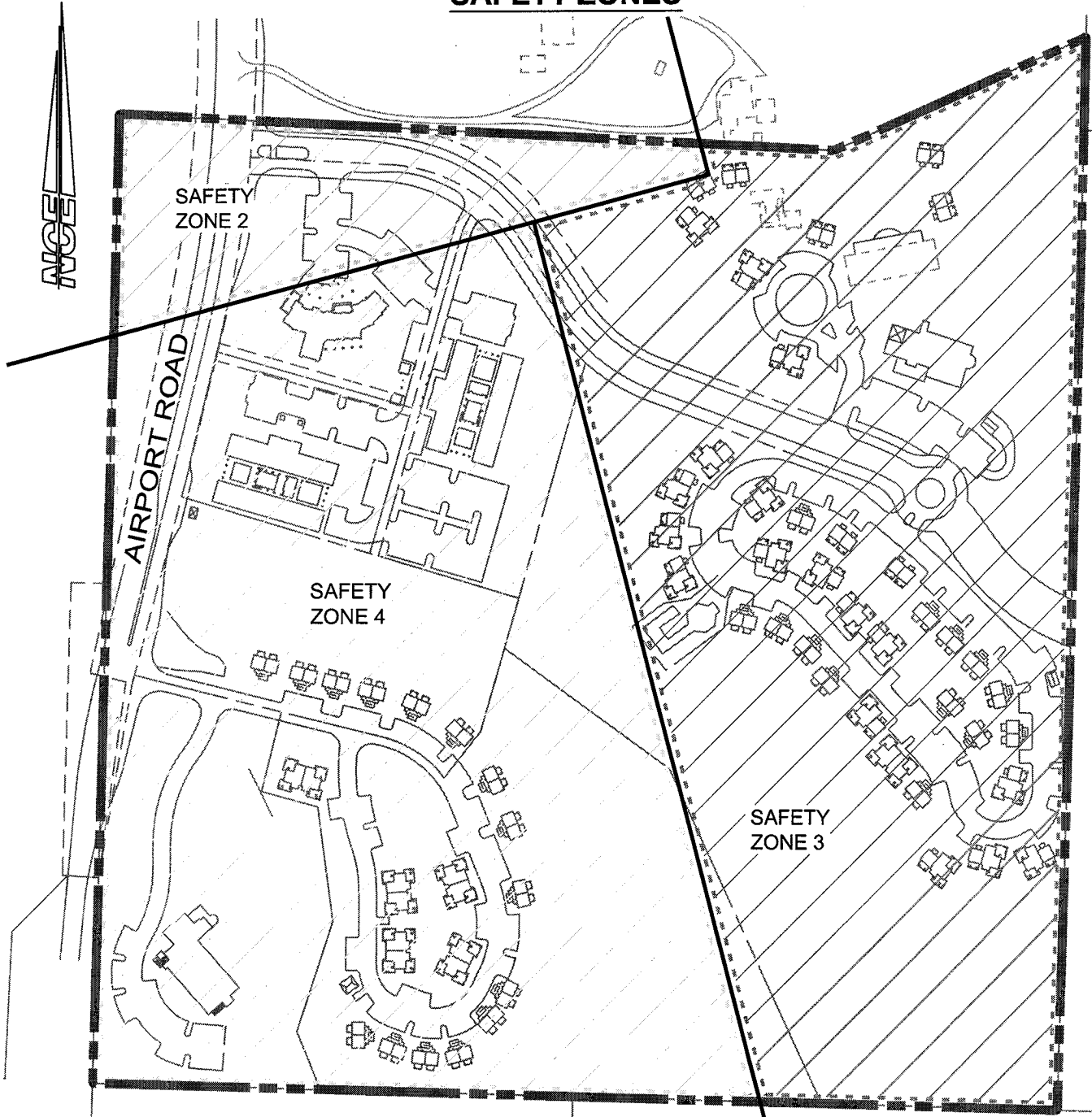
To make arrangements to stay at the resort, the investor would call the Resort Operator to request a reservation in the same way that a non-investor would. If their requested unit is available, then they are able to stay there. If not, they may choose to stay in another available unit or select a different time to stay. Lodging for any guest (investor or non-investor) is limited to no more than 30 consecutive days. During their stay, investor guests are required to pay all applicable transient occupancy taxes and any other government imposed assessments, housekeeping charges and any incidental charges.

An investor maintains possession of their real property title until they choose to sell. Until that time, they receive the returns on their investment.



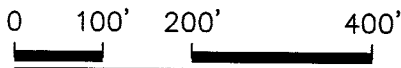
**Attachment 4  
Ownership Structure Exhibit  
PD 08-002, CUP 08-002, Tract 2962  
(Destino Paso - Handley)**

# SAFETY ZONES



## SAFETY ZONE LAND REQUIREMENTS

SAFETY ZONE	AREA (AC)	AVERAGE PERSONS/AC	MAX PERSONS	PROPOSED PERSONS	MAX PERSONS ON 1 ACRE	PROPOSED PERSONS ON 1 ACRE	SITE LOCATION WHERE MAX DENSITY OCCURS
<b>TOTAL:</b>			<b>1906</b>	<b>614</b>			
2	3.2	20	64	0	40	0	N/A
3	17.9	60	1074	322	120	120	CONFERENCE ROOM
4	19.2	40	768	292	120	120	RESTAURANT & 50-ROOM HOTEL



SCALE: 1"=200'

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF AERONAUTICS – M.S.#40

1120 N STREET

P. O. BOX 942873

SACRAMENTO, CA 94273-0001

PHONE (916) 654-4959

FAX (916) 653-9531

TTY 711

DN



*Flex your power!  
Be energy efficient!*

January 28, 2009

Corrected

Mr. Darren Nash  
City of Paso Robles  
1000 Spring Street  
Paso Robles, CA 93446

**Paso Robles**

FEB 02 2009

**Planning Division**

Dear Mr. Nash:

City of Paso Robles' Mitigated Negative Declaration for the Destino Paso Resort; SCH# 2008121128

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The Division has technical expertise in the areas of airport operations safety, noise, and airport land use compatibility. We are a funding agency for airport projects and we have permit authority for public-use and special-use airports and heliports. The following comments are offered for your consideration.

The proposal is for the construction of 291 hotel and "casitas" rooms, a restaurant, spa, conference center, trails, pools, parking lots, and other accessory uses. According to the Mitigated Negative Declaration (MND), the applicant proposes to "process a condo map that would further subdivide the 175 casitas units into condominiums with the requirements of transient lodging."

The project site is located approximately 4,000 feet southwest of the Paso Robles Municipal Airport. Due to its proximity to the airport, the project site may be subject to aircraft overflight and subsequent aircraft-related noise and safety impacts.

Protecting people and property on the ground from the potential consequences of near-airport aircraft accidents is a fundamental land use compatibility-planning objective. While the chance of an aircraft injuring someone on the ground is historically quite low, an aircraft accident is a high consequence event. To protect people and property on the ground from the risks of near-airport aircraft accidents, some form of restrictions on land use is essential. The two principal methods for reducing the risk of injury and property damage on the ground are to limit the number of persons in an area and to limit the area covered by occupied structures. The potential severity of an off-airport aircraft accident is highly dependent upon the nature of the land use at the accident site.

According to the MND, the project site is within an Airport Overlay (AO) and is subject to the consistency with the San Luis Obispo County Airport Land Use Commission's (ALUC) Airport Land Use Plan (ALUP). The MND states that portions of the site are within Zones 2, 3, and 4 as designated in the ALUP. The MND states that the transient lodging and restaurants are conditionally compatible within Zones 3 and 4. The MND also states that only uses such as roads, parking lots and landscaping will be located within Zone 2. The MND did not address airport-related noise impacts.

*"Caltrans improves mobility acr*

**Attachment 6**

DOT-Aeronautical Letter  
PD 08-002, CUP 08-002, Tract 2962  
(Destino Paso - Handley)



The MND identifies the following airport-related mitigation measures:

**H-1-Airport and Aircraft Safety:** Development of any new land use on the project site shall not create an undue public safety risk from overflight of aircraft. The eastern portion of the project site is in Airport Safety Zone 3 for turning and sideline zones and the western portion is Safety Zone 4 for outer approach and departure zones. All development plan, proposed use, or subdivision on the project site is subject to the nonresidential land use densities and open space requirements as provided in Chapter 4, etc.

**H-2-Airspace Protection:** No object or structure may be erected, and no plant allowed to grow, to penetrate any “imaginary surface” as defined in Federal Aviation Regulations Part 77. Any proposed feature approaching these surfaces will be referred to the airport manager for review and recommendation. Building within the height limits of this specific plan will not approach the Federal Aviation Administration (FAA) imaginary surfaces.

**H-3-Operations Interference:** No use shall be established which produces visually significant quantities of smoke.

**H-4-Bird Attractants:** No use shall be established and no activity conducted which attracts birds to the extent of creating a significant hazard of bird strikes. Examples are outdoor storage or disposal of food or grain, or large artificial water features. This provision is not intended to prevent enhancement or protection of existing wetlands, the mitigation of impacts to wetlands or construction of required detention basins.

**H-5-Avigation Easements:** At the time of subdivision development, avigation easements shall be recorded for each affected parcel in a form approved by the County of San Luis Obispo ALUC.

**H-6-Real Estate Disclosure:** All owners, potential purchases, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or disclosure shall be approved by the County of San Luis Obispo ALUC.

With respect to mitigation measure H-2, State Public Utilities Code Section 21659 prohibits structural hazards near airports. A Notice of Proposed Construction or Alteration (Form 7460-1) may be required by the FAA in accordance with Federal Aviation Regulation Part 77. Form 7460-1 is available on-line at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp> and should be submitted electronically to the FAA.

Mitigation measure H-6 mentions renters and owners. Ownership implies permanent residential status and residential uses are incompatible within Zones 3 and 4 according to the ALUP.

Mr. Darren Nash  
January 28, 2009  
Page 2

We advise submitting the proposal to the ALUC to ensure that it is consistent with the ALUP. If the ALUC determines that the proposed action is inconsistent with the airport land use compatibility plan, the referring agency shall be notified. The local agency may, after a public hearing, propose to overrule the ALUC by a two-thirds vote of its governing body after it makes specific findings. At least 45 days prior to the decision to overrule the ALUC, the local agency's governing body shall provide to the ALUC and Caltrans a copy of the proposed decision and findings. Caltrans reviews and comments on the specific findings a local government intends to use when proposing to overrule an ALUC.

The proposal should also be coordinated with Paso Robles Municipal Airport staff to ensure that the proposal will be compatible with future as well as existing airport operations.

The protection of airports from incompatible land use encroachment is vital to California's economic future. Paso Robles Municipal Airport is an economic asset that should be protected through effective airport land use compatibility planning and awareness. Although the need for compatible and safe land uses near airports is both a local and State issue, airport staff, airport land use commissions and airport land use compatibility plans are key to protecting an airport and the people residing and working in the vicinity of an airport. Consideration given to the issue of compatible land uses in the vicinity of an airport should help to relieve future conflicts between airports and their neighbors.

These comments reflect the areas of concern to the Division with respect to airport-related noise and safety impacts and regional airport land use planning issues. We advise you to contact our Caltrans District 5 office concerning surface transportation issues.

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-5314.

Sincerely,



SANDY HESNARD  
Aviation Environmental Specialist

c: State Clearinghouse, San Luis Obispo ALUC, Paso Robles Municipal Airport

*"Caltrans improves mobility across California"*

## Darren Nash

---

**From:** David Innis [DBInnis@waterboards.ca.gov]  
**Sent:** Friday, January 30, 2009 9:22 AM  
**To:** Darren Nash  
**Subject:** Destino Paso Resort Initial Study

Darren Nash  
Associate Planner  
City of Paso Robles  
(805) 237-3970

Darren,

I briefly reviewed the City of Paso Robles - Planning Division Initial Study for Planned Development (08-002), CUP 08-002 & Tentative Tract 2962 Notice of Completion and Environmental Document Transmittal (SCH# 200812112).

My only substantive comment, from a Water Board perspective, would require the City/Developer ensure they apply for both Construction Stormwater General Permit ([http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml)) and Section 401 Water Quality Certification ([http://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/401wqcert/index.shtml](http://www.waterboards.ca.gov/centralcoast/water_issues/programs/401wqcert/index.shtml)).

References to these two permits do not seem to be listed in the Environmental Document Checklist.

I am encouraged that the City and developer have designed Low Impact Development water treatment controls into the project. This will go a long ways toward reduction of pollutants and secondary hydromodification to HuerHuero Creek. For more information on Water Board's upcoming requirements to include LID and Hydromod in the City approved designs for future projects, please review our website at:

[http://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/stormwater/low\\_impact.shtml](http://www.waterboards.ca.gov/centralcoast/water_issues/programs/stormwater/low_impact.shtml)

— Dave

David Innis  
Environmental Scientist  
Construction, Industrial Stormwater

E-mail: [dbinnis@waterboards.ca.gov](mailto:dbinnis@waterboards.ca.gov).  
or  
Regional Water Quality Control Board, Region 3  
895 Aerovista, Place., Suite 101  
San Luis Obispo, CA 93401-7906  
(805) 549 - 3150 (voice)  
(805) 788-3586 (Fax)

### Attachment 7

Regional Water Quality Control Board Letter  
PD 08-002, CUP 08-002, Tract 2962  
(Destino Paso - Handley)

RESOLUTION NO:

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
APPROVING A MITIGATED NEGATIVE DECLARATION FOR  
PLANNED DEVELOPMENT 08-002, CONDITIONAL USE PERMIT 08-002  
AND VESTING TENTATIVE TRACT MAP 2962  
(DESTINO PASO - HANDLEY)  
APN: 025-436-029 & 030

WHEREAS, Planned Development 08-002 & Conditional Use Permit 08-002 has been filed by North Coast Engineering on behalf of Jerry and Katherine Handley for the construction of a resort project consisting of 291 hotel and casitas rooms, including accessory uses such as restaurant, spa, conference center, trails, pools, parking lots and other accessory uses; and

WHEREAS, Tract 2962 has also been filed proposing to subdivide a 40.3 acre property into nine lots ranging in size from 1.81 acres to 10.86 acres; and

WHEREAS, Tract 2962 also includes a condominium map that would create 58 air-space condominium units that includes 175 individual casitas units; and

WHEREAS, the project is located at 3340 & 3350 Airport Road; and

WHEREAS, Section 21.23B, of the Zoning Code (Development Review) requires any project subject to environmental review in which a negative declaration is required, is subject to Planning Commission approval of a development plan (PD); 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 was prepared and circulated for public review and comment; and

WHEREAS, based on the information and analysis contained in the Initial Study, a determination has been made that the proposed Project qualifies for adoption of a Mitigated Negative Declaration; and

WHEREAS, an Initial Study was prepared for this project (Attached as Exhibit A) which concludes and proposes that a Mitigated Negative Declaration be approved; and

WHEREAS, Public Notice of the proposed Mitigated Negative Declaration was given as required by Section 21092 of the Public Resources Code; and

WHEREAS, based on the information contained in the Initial Study prepared for this project and testimony received as a result of the public notice, the Planning Commission finds no substantial evidence that there would be a significant impact on the environment based on the Mitigation Agreement and mitigation measures; and

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of El Paso de Robles, based on its independent judgment, to approve a Mitigated Negative Declaration for Planned Development 08-002, Conditional Use Permit 08-002 & Vesting Tentative Tract Map 2962 in accordance with the California Environmental Quality Act, subject to the following mitigation measures and subject to the timing of completion of the mitigation measures as outlined in Exhibit B, Mitigation Monitoring Table:

**LAND USE: LU-1:** Kitchen facilities for hotel or casitas units shall be limited to “kitchenettes” and may include a sink, microwave, and beverage refrigerator, stoves and ovens are prohibited.

**TRAFFIC: T-1:** The Destino Paso project will be conditioned to pay transportation development impact fees in effect at the time of occupancy. The calculation of the fees will not include consideration of fees currently in effect or those that may have been in effect at the time the entitlement application was made or in effect at the time of submittal of a building permit.

**AIR POLLUTION CONTROL DISTRICT:**

**APCD-1:** Prior to any grading on the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption form must be filed with the District. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos (Air Toxics Control Measure) ACTM.

**APCD-2:** If utility pipelines are scheduled for removal or relocation; or building are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP).

**APCD-3:** The project shall be conditioned to comply with all applicable District regulations pertaining to the control of fugitive dust (PM-10) as contained in section 6.5 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:

- a. Reduce the amount of the disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
- c. All dirt stockpile areas should be sprayed daily as needed.
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
- e. Exposed ground areas that are to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.

- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible

**APCD-4** Construction Permit Requirements: If portable equipment, 50 horsepower or greater, are used during construction, a California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the Districts CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50hp or greater;
- IC Engines;
- Concrete batch plants;
- Rock and pavement crushing;
- Tub grinders; and
- Trommel screens.

**APCD-5** Develop a comprehensive Construction Activity Management Plan designed to minimize the amount of large construction equipment operating during any given time period. The plan should be submitted to the District for review and approval prior to the start of construction. The plans should include but not be limited to the following elements:

- Schedule construction truck trips during non-peak hours to reduce peak hour emissions;
- Limit the length of the construction work-day period, if necessary; and,
- Phase construction activities, if appropriate.

**APCD-6: Standard NOx Control Measures for Construction Equipment:** The standard construction equipment mitigation measures for reducing nitrogen oxide (NOx) emissions are listed below and in section 6.3.1 of the Air Quality Handbook. **These measures are applicable to all projects where construction equipment will be used:**

- Maintain all construction equipment in proper tune according to manufacturer's specifications.
- Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- Maximize to the extent feasible, the use of on-road heavy-duty equipment and trucks that meet the ARB's 1998 or newer certification standard for on-road heavy-duty diesel engines.
- All on and off-road diesel equipment shall not be allowed to 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.

## **APCD 7 : OPERATIONAL PHASE MITIGATION**

### Greenhouse Gas Impacts and Mitigation

While California successfully passed Assembly Bill 32, California's Global Solutions Act of 2006, little guidance was provided to lead agencies regarding how to address greenhouse gas (GHG) impacts in the CEQA process. In the 2007 California legislative session, Senate Bill 97 was passed and required that the California Office of Planning and Research, by July 1, 2009, prepare and develop guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions as required by CEQA, including, but not limited to, effects associated with transportation or energy consumption. As guidelines are not currently available, the APCD suggests that projects subject to CEQA should quantify project related GHG emissions and identify feasible mitigation.

The APCD staff considered the operational impact of this proposed development by running the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. This indicated that operational phase impacts of the greenhouse gas known as carbon dioxide (CO<sub>2</sub>) will be approximately 19533 pounds per day in the summer and 18685 pounds per day in the winter. **While statewide/global thresholds have not yet been defined for GHG impacts, SLO County APCD recommends the implementation of feasible mitigation measures that minimize project related GHG impacts.** Examples of potential measures for this development include:

- Developments within Urban Reserve Lines with walking or bicycling access to nearby commercial and transit services thus reducing automobile dependence;
- Install on-site solar power infrastructure to offset grid-based power consumption.
- Provide low-speed neighborhood electric vehicles (NEVs) and charging stations for internal use by resort patrons.
- Replacing support equipment and vehicles that have internal combustion engines with their electric equivalents;
- Green building techniques such as:
  - Building positioning and engineering that eliminate or minimize the development's active heating and cooling needs;
  - Planting of native, drought resistant landscaping;
  - Use of locally or nearby produced building materials; and,
  - Use of renewable or reclaimed building materials.

Other measures suitable for GHG as well as ozone precursor mitigation are listed below in this comment letter.

Operational Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Operational sources may require APCD permits. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Electrical generation plants or the use of standby generator;
- Food and beverage preparation (primarily coffee roasters);
- Dry cleaning; and,
- Boilers.

**To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.**

**APCD 8:** APCD staff has determined the operational impacts of this development by running the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. The results of the model using conservative County average trip distances demonstrated that the operational impacts will (likely exceed the APCD's CEQA **Tier II** significance threshold value of **25 lbs/day** for nitrogen oxides (NOx), reactive organic gases (ROG) and particulate matter (PM10) as shown below:

Season	Project Emissions by Pollutant (lbs/day)		
	ROG	NOx	PM10
Summer	28.90	37.24	31.54
Winter	32.30	47.13	31.52

**As a result of this estimated threshold exceedence, this project must implement all applicable Standard Mitigation Measures and at least 10 Additional Mitigation Measures listed below.** Should this project move forward, the APCD will consider the overall air quality impacts from this project to have been reduced to a level of insignificance with the implementation of these mitigation measures. Other measures may be proposed as replacements by contacting the APCD's Planning Division at 781-5912.

**Standard Measures (Include all standard mitigation measures marked below)**

- Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
- Provide on-site eating, refrigeration and food vending facilities to reduce employee lunchtime trips.
- Provide preferential carpool and vanpool parking spaces.
- Provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees.
- Include easements or land dedications for bikeways and pedestrian walkways.
- Provide continuous sidewalks separated from the roadway by landscaping and on-



street parking. Adequate lighting for sidewalks must be provided, along with crosswalks at intersections.

**Additional Measures (Include at least 10 of the following)**

Site Design Mitigation for this Project

- Increase street shade tree planting.
- Increase shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
- Provide on-site banking (ATM) and postal services.
- Provide on-site child care facilities for employees.
- Provide on-site housing for employees.
- Implement on-site circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment with designated walkways.
- Provide pedestrian signalization and signage to improve pedestrian safety.
- If the project is located on an established transit route, improve public transit accessibility by providing transit turnouts with direct pedestrian access to the project.
- Provide outdoor electrical outlets to encourage the use of electric appliances and tools.
- Increase number of bicycle routes/lanes.

Transportation Demand Mitigation

- If the project is located on an established transit route, improve public transit accessibility by providing a transit turnout with direct pedestrian access to the project or improve existing transit stop amenities.
- Provide incentives to employees to carpool/vanpool, take public transportation, telecommute, walk, bike, etc by implementing the Transportation Choices Program. The applicant should Contact SLO Regional Rideshare at 541-2277 to receive free consulting services on how to start and maintain a program.
- Provide Transportation Choices Program information centers on alternative transportation modes at the site (i.e. a transportation kiosk). Contact SLO Regional Rideshare for appropriate materials at 541-2277.
- Install electric vehicle charging stations.
- Employ or appoint an Employee Transportation Coordinator.
- Implement an APCD approved Trip Reduction Program.
- Provide for shuttle/mini bus service.
- Implement a lunch-time shuttle to reduce single occupant vehicle trips.
- Participate in an employee "flash pass" program, which provides free travel on transit buses.

Energy Efficiency Measures

- Shade tree planting along southern exposures of buildings to reduce summer cooling needs.
- Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs.

- Use built-in energy efficient appliances, where applicable.
- Use double-paned windows.
- Use low energy parking lot and street lights (e.g. sodium).
- Use energy efficient interior lighting.
- Use low energy traffic signals (e.g. light emitting diode).
- Install door sweeps or weather stripping if more energy efficient doors and windows are not available.
- Install high efficiency or gas space heating.
- Use high efficiency gas or solar water heaters.

Operational Permit Requirements:

If any of the following equipment is present at the site either during construction or in the operational phase of the project, Contact Gary Willey of the District's Engineering division at (805) 781-5912 for specific information regarding permitting requirements:

- Portable generators and equipment with engines that are 50hp or greater;
- Electric generation plants of the use of standby generator;
- Boilers; and
- IC Engines

To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering division at (805) 781-5912 for specific information regarding permitting requirements.

**BIOLOGICAL:**

Biological Resources Mitigation Measures

**BIO-1:** A Wetland Delineation was prepared for the project in June 2008 (see Attachment G). Of the four areas of the site evaluated for wetlands, two of the sites (sites 1 & 3) were determined to be a Federal and State Wetland. Since wetlands to occur on the project site, the following mitigation measures shall be applied:

- i. Permits must be obtained, as appropriate, from the California Department of Fish and Game (DFG Code 1603), the U.S. Army Corps of Engineers (Section 404 of the Clean Water Act), the Regional Water Quality Control Board (Section 401 of the Clean Water Act) for any activity that must offset wetland resources.
- ii. An on-site monitor will be required during construction activities in areas containing jurisdictional wetlands.
- iii. Any mitigation, monitoring, and reporting plan will be prepared and approved by the City and other jurisdictional agencies, as appropriate (i.e., California Department of Fish and Game, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board). Wetland mitigation will increase the aerial extent of wetland habitat on site at a two-to-one ratio (created wetland area to impacted wetland area).

iv. Mitigation implementation and success will be monitored for a minimum of three years, depending on the jurisdictional agencies' requirements.

**BIO-2:** Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during breeding season from March 15 to August 15. If construction activities must be conducted during this period, nesting bird surveys shall take place within one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet nest until chicks are fledged. Construction activities shall observe a 300-foot buffer for occupied raptor nests. A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging or the buffer zone and make recommendations on additional monitoring requirements.

Oak tree impacts and mitigation requirements shall be compiled by the project Arborist. The following mitigation recommendations are modeled after guidelines set forth in the Paso Robles Tree Ordinances (City of Paso Robles – Ordinance No. 835 N.S.).

**BIO-3:** Tree canopies and trunks within 50-feet of proposed disturbance zones should be mapped and numbered by a qualified biologist and a licensed land surveyor. Data for each tree should include date, species, number of stems, diameter at breast height (dbh) of each stem, critical root zone (CRZ) diameter, canopy diameter, tree height, health, habitat notes, and nests observed. – Completed 2005, See Arborist Report by A&T Arborists along with plan by NCE, Attachment F).

**BIO-4:** An oak tree protection plan shall be prepared and approved by the City of Paso Robles.

**BIO-5:** Impact to the oak canopy or critical root zone (CRZ) should be avoided where practicable. Impacts include pruning, and ground disturbance within the dripline or CRZ of the tree (whichever is greater), and trunk damage. The current plans show encroachments of decks into the CRZ's of trees No. 1, 48, 49 and 59. The arborist shall review and approve the foundation designs for the decks.

**BIO-6:** Impacted oaks shall be mitigated for by planting one 24-inch boxed tree for impacts up to 25-percent of the root zone or canopy. Two 24-inch boxed trees shall be planted for trees within impacts of 50-percent of the tree, and so on. The mitigation trees shall be incorporated into the landscape plan.

**BIO-7:** Replacement oaks for removed trees must be an equivalent to 25-percent of the diameter of the remove tree(s). For example, the replacement requirement for removal of two trees of 15 inches dbh (30 total diameter inches), would be 7.5 inches (30-inches removed x 0.25 replacement factor). The requirement could be satisfied by planting five 1.5-inch trees, or three 2.5-inch trees, or any other combination totaling 7.5-inches. A minimum of two 24-inch box, 1.5-inch trees shall be required for each oak tree removed.

**BIO-8:** Replacement trees should be seasonally maintained (browse protection, weed reduction, and irrigation, as needed) and monitored annually for at least 7 years.

**BIO-9:** An Arborist Report was prepared by A&T Arborists for this project. The report indicates that all trees will be preserved on this site except for Trees No. 18 & 19, which are trees that are in poor condition and are needed to be removed in order to allow for the road improvements to Airport Road. The request to remove these two trees will need to go forward to the City Council. In the event that the Council does not approve the removal of the two trees, they will need to be preserved in accordance with the Oak Tree Ordinance.

**BIO-10:** Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of El Paso de Robles, Community Development, Planning Division that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of **51** acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.) requires that all aspects of this program must be in place before City permit issuance or initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to “The Nature Conservancy”, would total **\$127,500**. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to City permit issuance and initiation of any ground disturbing activities.

- c. Purchase **51** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total **\$127,500**. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to City permit issuance and initiation of any ground disturbing activities.

**BIO-11: Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:

- i. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist 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.
- ii. **The qualified biologist shall conduct weekly site visits during site-disturbance activities** (i.e. grading, disking, excavation, stockpiling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-14 through BR-23. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-14iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.
- iii. **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 biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFG 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, work shall stop until such time the USFWS determines it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must stop all activities and consult with the USFWS. 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.

- iv. **In addition**, the qualified biologist 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:
  - Potential kit fox den: 50 feet
  - Known or active kit fox den: 100 feet
  - 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 by a qualified biologist shall be required during ground disturbing activities.

**BIO-12: Prior to issuance of grading and/or construction permits**, the applicant shall clearly delineate the following as a note on the project plans: “Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox”. Speed limit signs shall be installed on the project site **within 30 days prior to initiation of site disturbance and/or construction**.

**BIO-13: 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.

**BIO-14: Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction**, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox’s life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

**BIO-15: During the site-disturbance and/or construction phase**, to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and 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 biologist and allowed to escape unimpeded.

**BIO-16: 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. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped

**BIO-17: During the site-disturbance and/or construction phase,** all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

**BIO-18: 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.

**BIO-19: 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 applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFG by telephone. 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 CDFG for care, analysis, or disposition.

**BIO-20: Prior to final inspection, or occupancy, whichever comes first,** should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

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

***Monitoring (San Joaquin Kit Fox Measures BR-10 to BR-20): Compliance will be verified by the City of Paso Robles, Planning Division in consultation with the California Department of***

*Fish and Game. As applicable, each of these measures shall be included on the construction plans.*

***American badger***

American badger could occur in the project areas. The project will result in a net loss of badger habitat. Mitigation is not required for loss of badger habitat. To ensure take of live badgers does not occur, the following mitigation recommendation shall be implemented:

**BIO-21:** A pre-construction survey shall be conducted within thirty days of beginning work on the project to identify if badgers are using the site. The results of the survey shall be sent to the project manager, CDFG, and the City of El Paso de Robles.

If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property, and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens on the property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1 and February 1 all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the property during the pre-construction survey, the CDFG wildlife biologist for the area shall be contacted to review current allowable management practices.

**BIO-22:** Prior to removal of any trees over 20-inches dbh, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming may harbor sensitive bat species or maternal bat colonies. Maternal bat colonies may not be disturbed.

**BIO-23:** All occupied nests shall be mapped using GPS or survey equipment. The mapped locations shall be placed on a copy of the grading plans with a 300-foot buffer indicated. Work shall not be allowed within the 300 foot buffer while the nest is in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas. The project biologist may use discretion to reduce or increase the buffer distance based on the sensitivity level of the nest adjacent work.

**BIO-24:** Occupied nests of special status bird species that are within 300-feet of project work areas shall be monitored bi-monthly through the nesting season to document nest success and check for project compliance with buffer zones. Once nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work can commence.

**BIO-25:** Prior to the issuance of grading and/or construction permit(s), if work is expected to impact seasonal ponds on the property, a biologist qualified to conduct surveys for sensitive fairy shrimp species according to USFWS protocols shall conduct a fairy shrimp habitat assessment to



determine the potential for fairy shrimp to occur on site. If potential habitat is present, a protocol survey shall be conducted. If vernal pool fairy shrimp (*branchinecta lynchi*) are discovered, grading and/or construction work shall stop immediately and consultation with the USFWS must occur.

**HAZARDS:**

H-1 – Airport and Aircraft Safety: Development of any new land use on the project site shall not create an undue public safety risk from overflight of aircraft. The eastern portion of project site is in Airport Safety Zone 3 for turning and sideline zones and the western portion is Safety Zone 4 for outer approach and departure zones. All development plans, proposed uses, or subdivisions on the project site is subject to the nonresidential land use densities and open space requirements as provided in Chapter 4 of the Paso Robles ALUP which are excerpted below (Table 5, ALUP, 2007).

Handley Property Airport Safety Areas	Maximum Land Use Density (persons/acre)	Maximum Single Acre Land Use Density (persons/acre)	Maximum Percent Open Space (% gross area)
Safety Zone 2	20	40	30 <sup>1</sup>
Safety Zone 3	60	120	25 <sup>2</sup>
Safety Zone 4	40	120	20 <sup>2</sup>

<sup>1</sup> No structures, congregations of equipment or vehicles, or public venues shall be located within 250 feet of any extended runway centerline and within 6000 feet of the corresponding runway end.

<sup>2</sup>When feasible, development should be planned in a manner that maintains maximum open space within 50 feet of any extended runway centerline.

**H-2 - Airspace Protection:** No object or structure may be erected, and no plant allowed to grow, to penetrate any “imaginary surface” as defined in Federal Aviation Regulations Part 77. Any proposed feature approaching these surfaces will be referred to the airport manager for review and recommendation. Building within the height limits of this specific plan will not approach the FAA imaginary surfaces.

**H-3 - Operations Interference:** No use shall be established which produces visually significant quantities of smoke.

**H-4 - Bird Attractants:** No use shall be established and no activity conducted which attracts birds to the extent of creating a significant hazard of bird strikes. Examples are outdoor storage or disposal of food or grain, or large, artificial water features. This provision is not intended to prevent enhancement or protection of existing wetlands, the mitigation of impacts to wetlands or construction of required detention basins.

**H-5 Avigation Easements:** At the time of subdivision development, avigation easements shall be recorded for each affected parcel in a form approved by the County of San Luis Obispo Airport Land Use Commission.

**H-6 Real Estate Disclosure:** All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport area. The format of the disclosure shall be approved by the County of San Luis Obispo Airport Land Use Commission.

## **NOISE**

**N-1:** Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with a muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the study area without said muffler.

**N-2:** All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.

**N-3:** Whenever feasible, electrical power shall be used to run air compressors and similar power tools.

**N-4:** Construction activity for site preparation and for future development shall be limited to the hours between 7:00 AM and 7:00 PM, Monday through Friday and Saturday 8:00 AM to 6:00 PM. No construction shall occur on Sundays or State holidays (i.e. Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours.

**N-5:** For all construction activity on the project site, noise attenuation techniques shall be employed as needed to ensure that noise remains below 65 dBA at nearby residences. Such techniques may include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and affected uses.

**N-6:** Provide notification to residential occupants adjacent to the project area at least 24 hours prior to initiation of construction activities that could significantly affect outdoor or indoor living areas. This notification shall include the anticipated hours and duration of construction and a description of noise reduction measures.

**N-7:** The applicant shall provide a telephone number of the project general contractor or designee for local residents to call to submit complaints associated with construction noise. The number shall be posted along the Airport Road portion of the site and shall be easily viewed from adjacent public areas.

## **Exterior Noise Attenuation**

**N-8:** Structures located within unacceptable noise contours shall provide attenuation of exterior usable area noise levels to below 65 dBA CNEL. This can be accomplished using one or more of the following methods:

**N-9:** A structural setback from the roadways that generate the unacceptable noise levels;

**N-10:** Installation of vegetated berms, in combination with structural setbacks from the roadways that generate the unacceptable noise levels;

**N-11:** Locate exterior usable areas that border sources of unacceptable noise levels within an interior courtyard.

**Interior Noise Attenuation**

**N-12:** The walls, doors and windows of units or buildings that face Airport Road shall be constructed to include sufficient noise attenuation to reduce interior levels to a CNEL of 45 dBA. This would require at a minimum the use of double-paned windows on all floors for those windows that face Airport Road.

**N-13:** Windows should have a minimum Standard Transmission Class (STC) of 35 and be properly installed, weather-stripped, and insulated.

**N-14:** Doors with a minimum STC of 35 should be used for doorways facing Airport Road and should be insulated in conformance with California Title 24 requirements.

**N-15:** The exterior wall facing material shall be stucco and/or shall be designed for a minimum STC of 45.

**N-16:** Roof or attic vents facing Airport Road should be baffled.

**N-17:** Air conditioning or a mechanical ventilation system should be included in development plans so that windows and doors may remain closed to reduce interior noise to the extent possible.

PASSED AND ADOPTED THIS 10<sup>th</sup> day of February 2009, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIRMAN CHARLES TREATCH

ATTEST:

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RON WHISENAND, PLANNING COMMISSION SECRETARY

**CITY OF PASO ROBLES – PLANNING DIVISION  
INITIAL STUDY**

**1. GENERAL PROJECT INFORMATION**

**PROJECT TITLE:** Planned Development (08-002), Conditional Use Permit 08-002 & Tentative Tract 2962

**LEAD AGENCY:** City of Paso Robles - 1000 Spring Street, Paso Robles, CA 93446

**Contact:** Darren Nash  
**Telephone:** (805) 237 - 3970

**PROJECT LOCATION:** 3340 and 3350 Airport Road  
(APNs 025-436-029, 025-436-030)

**PROJECT PROPONENT:** Applicant: Jerry & Kathie Handley  
PO Box 1011, Paso Robles, CA 93446  
Representative: North Coast Engineering

**LEAD AGENCY CONTACT/  
INITIAL STUDY PREPARED BY:** Darren Nash, Associate Planner

**Telephone:** (805) 237-3970  
**Facsimile:** (805) 237-3904  
**E-Mail:** dnash@prcity.com

**GENERAL PLAN DESIGNATION:** Parks and Open Space (POS) with Airport (AP) Overlay

**ZONING:** Parks and Open Space (POS) with Resort Lodging Overlay (R/L)

**2. PROJECT DESCRIPTION**

The applicants request to construct a resort project consisting of: two hotels with 50 rooms each, a 14 room boutique hotel and 175 casitas rooms, totaling 291 units. The project is proposed to include accessory uses such as a 5,700 square foot restaurant, a 5,000 square foot conference center, a spa, walking trails, pools, parking lots and other accessory uses. Tentative Tract 2962 is requested to subdivide the two existing parcels totaling approximately 40.33 acres, into 9 parcels. Additionally, there is a request to approve a condo map that would further subdivide the 175 casitas units into condominium units to allow ownership of the individual units. Use of the units would have a limited stay no longer than 30 days, consistent with the requirements of transient lodging. Permanent residential use of the condominium units would be strictly prohibited since residential use of the units would conflict with the Airport Land Use Plan (ALUP).

The project site is located in northeast Paso Robles, along the east side of Airport Road, just north of the intersection of Airport Road and Highway 46 (refer to Exhibit A, Vicinity Map).

The subject properties and adjacent parcels are situated on alluvial terraces on the east side of Huer Huero Creek, with the eastern end of the property on the terrace and the western portion sloping down to include a

**10 Environmental Checklist Form**

	Potentially Significant	Potentially Significant	Potentially Significant	Potentially Significant
	Unless Mitigation Incorporated	Less Than Significant Impact		
ISSUES (and Supporting Information Sources):				No Impact

small portion of Huer Huero Creek. Existing use of the site includes cattle grazing, an access road from Airport Road, and one single family home with adjacent barns and outbuildings, including foundations for a caretaker’s house and warehouse. The land use designation and zoning districts include Parks and Open Space generally to the south, southeast, and west, across Airport Road and Agriculture to the north and east.

The site is within the Airport Overlay District and is subject to consistency with the Airport Land Use Plan (ALUP). The project site is required to include mitigation measures for consistency with the ALUP.

**3. OTHER AGENCIES WHOSE APPROVAL MAY BE REQUIRED (For example, issuance of permits, financing approval, or participation agreement):**

California Department of Fish and Game  
California Department of Transportation (CalTrans)

**4. EARLIER ENVIRONMENTAL ANALYSIS AND RELATED ENVIRONMENTAL DOCUMENTATION:**

This Initial Study incorporates by reference the City of El Paso de Robles General Plan Environmental Impact Report (EIR) (SCH#2003011123).

This Initial Study incorporates by reference a Mitigated Negative Declaration prepared for GPA 06-002 & Rezone 05-006 (SCH#2006081056).

**5. CONTEXT OF ENVIRONMENTAL ANALYSIS FOR THE PROJECT:**

This Initial Study relies on expert opinion supported by the facts, technical studies, and technical appendices of the City of El Paso de Robles General Plan EIR. These documents are incorporated herein by reference. They provide substantial evidence to document the basis upon which the City has arrived at its environmental determination regarding various resources.

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following initial study). Implementation of the proposed mitigation measures will reduce the potentially significant effects associated with the proposed uses to less than significant levels.

**6. PURPOSES OF AN INITIAL STUDY**

The purposes of an Initial Study for a Development Project Application are:

- A. To provide the City with sufficient information and analysis to use as the basis for deciding whether to prepare an Environmental Impact Report, a Mitigated Negative Declaration, or a Negative Declaration for a site specific development project proposal;
- B. To enable the Applicant of a site specific development project proposal or the City as the lead agency to modify a project, mitigating adverse impacts before an Environmental Impact Report is required to be prepared, thereby enabling the proposed Project to qualify for issuance of a Negative Declaration or a Mitigated Negative Declaration;
- C. To facilitate environmental assessment early in the design of a project;
- D. To eliminate unnecessary EIRs;
- E. To explain the reasons for determining that potentially significant effects would not be significant;

## 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant	Less Than Significant	No Impact
		Unless Mitigation Incorporated	Impact	

- F. To determine if a previously prepared EIR could be used for the project;
- G. To assist in the preparation of an Environmental Impact Report if one is required; and
- H. To provide documentation of the factual basis for the finding of no significant effect as set forth in a Negative Declaration or a Mitigated Negative Declaration prepared for the a project.

## 7. EXPLANATION OF ANSWERS FOUND ON THE ENVIRONMENTAL CHECKLIST FORM

### A. Scope of Environmental Review

This Initial Study evaluates potential impacts identified in the following checklist.

### B. Evaluation of Environmental Impacts

1. A brief explanation is required for all answers to the questions presented on the following Environmental Checklist Form, except where the answer is that the proposed project will have “No Impact.” The “No Impact” answers are to be adequately supported by the information sources cited in the parentheses following each question or as otherwise explained in the introductory remarks. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A “No Impact” answer should be explained where it is based on project-specific factors and/or general standards. The basis for the “No Impact” answers on the following Environmental Checklist Form is explained in further detail in this Initial Study in Section 9 (Earlier Environmental Analysis and Related Environmental Documentation) and Section 10 (Context of Environmental Analysis for the Project).
2. All answers on the following Environmental Checklist Form must take into account the whole action involved with the project, including implementation. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. “Potentially Significant Impact” is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more “Potentially Significant Impact” entries when the determination is made, preparation of an Environmental Impact Report is warranted.
4. Potentially Significant Impact Unless Mitigated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level. Mitigation Measures from Section 9 (Earlier Environmental Analysis and Related Environmental Documentation) may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). See Section 4 (Earlier Environmental Analysis and Related Environmental Documentation) and Section 11 (Earlier Analysis and Background Materials) of this Initial Study.
6. References to the information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the Environmental Checklist Form. See Section 11 (Earlier Analysis and

**10 Environmental Checklist Form**

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ISSUES (and Supporting Information Sources):				

Related Environmental Documentation). Other sources used or individuals contacted are cited where appropriate.

- 7. The following Environmental Checklist Form generally is the same as the one contained in Title 14, California Code of Regulations; with some modifications to reflect the City’s needs and requirements.
- 8. Standard Conditions of Approval: The City imposes standard conditions of approval on Projects. These conditions are considered to be components of and/or modifications to the Project and some reduce or minimize environmental impacts to a level of insignificance. Because they are considered part of the Project, they have not been identified as mitigation measures. For the readers’ information, the standard conditions identified in this Initial Study are available for review at the Community Development Department.
- 9. Certification Statement: The statements made in this Initial Study and those made in the documents referenced herein present the data and information that are required to satisfy the provisions of the California Environmental Quality Act (CEQA) – Statutes and Guidelines, as well as the City’s Procedures for Implementing CEQA. Further, the facts, statements, information, and analysis presented are true and correct in accordance with standard business practices of qualified professionals with expertise in the development review process, including building, planning, and engineering.

**8. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The proposed project may potentially affect the environmental factors checked below, and may involve at least one impact that is a “Potentially Significant Impact” or is “Potentially Significant Unless Mitigated,” if so indicated on the following Environmental Checklist Form (Pages 8 to.15)

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Land Use & Planning | <input checked="" type="checkbox"/> Transportation/Circulation | <input type="checkbox"/> Public Services             |
| <input type="checkbox"/> Population & Housing           | <input checked="" type="checkbox"/> Biological Resources       | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Geological Problems            | <input type="checkbox"/> Energy & Mineral Resources            | <input type="checkbox"/> Aesthetics                  |
| <input type="checkbox"/> Water                          | <input checked="" type="checkbox"/> Hazards                    | <input type="checkbox"/> Cultural Resources          |
| <input checked="" type="checkbox"/> Air Quality         | <input checked="" type="checkbox"/> Noise                      | <input type="checkbox"/> Recreation                  |
|   | <input type="checkbox"/> Mandatory Findings of Significance    |  |

**9. ENVIRONMENTAL DETERMINATION:** On the basis of this initial evaluation: I find that:

The proposed project could not have a significant effect on the environment; and, therefore, a **NEGATIVE DECLARATION** will be prepared.

Although the proposed project could have a significant effect on the environment, there



**10 Environmental Checklist Form**

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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ISSUES (and Supporting Information Sources):

will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. Therefore, a **MITIGATED NEGATIVE DECLARATION** will be prepared.

The proposed project may have a significant effect on the environment; and, therefore an **ENVIRONMENTAL IMPACT REPORT** is required.

The proposed project may have a significant effect(s) on the environment, but one or more effects (1) have been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) have been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a “potentially significant impact” or is “potentially significant unless mitigated.”

Therefore, an **ENVIRONMENTAL IMPACT REPORT** is required, but it will analyze only the effect or effects that remain to be addressed.

\_\_\_\_\_  
Signature:

\_\_\_\_\_  
Date:

December 24, 2008

\_\_\_\_\_  
Darren Nash, Associate Planner

# 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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**I. LAND USE AND PLANNING.** Would the Proposal:

- a) Conflict with general plan designation or zoning?  
(Sources: 1 & 8)

*Discussion: The proposed project has a General Plan Land Use and Zoning designation of Parks and Open Space (POS) with a Resort/Lodging (RL) Overlay. The Park and Open Space Land Use Category is intended for open space and recreation uses on public or private properties, specifically, parks, lands along creeks and steep, wooded hillsides, hotels and motels in proximity to golf courses and commercial recreation. The Resort/Lodging (R/L) overlay district allows the City to consider and conditionally approve resort hotels, motels, and bed and breakfast inns, along with related accessory/ancillary land uses.*

*Furthermore, Table 21.16.200 of the Zoning Code, which identifies permitted use in various zoning districts, allows for transient lodging (hotels and motels) in the POS zoning district with a Conditional Use Permit (CUP).*

*The applicants have submitted applications for a Development Plan (PD) along with a CUP for the resort project.*

*A resort project with ancillary uses as proposed would meet the intent of the General Plan, since it would provide the development of a resort project in close proximity to golf courses and commercial recreation. The project also complies with the intent of the POS zoning designation for the site.*

*Additionally, the resort project is consistent with the City’s Economic Strategy, since it would “expand and diversify hotel products, including end destination full-service resorts.*

*Therefore this project will not be in conflict with the general plan and zoning designations.*

- b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?  
(Sources: 1 & 3)

*Discussion: The project site includes an Airport Overlay (AP) and is therefore subject to consistency with the Airport Land Use Plan (ALUP). The ALUP identifies that the subject site is within portions of Zones 2, 3 & 4. The ALUP plan indicates that transient lodging along with accessory uses such as restaurants are compatible within zones 3 & 4 with a limitation on the number of persons or density allowed per gross acre. The density condition will be applied to the project. Transient lodging and restaurant uses are not compatible with Zone 2. The project has been designed to only locate uses such as roads, parking lots and landscaping to be within the minimal portions of Zone 2.*

*About half of the casitas units (approximately 80) are proposed to include kitchen facilities. The kitchens provide for a potential for a more residential-type use that would not be compatible with Airport Land Use Plan. The following mitigation measure has been applied to the project to address this issue:*

**LU-1:** *Prior to the issuance of a building permit for any casitas buildings, the kitchen facilities shall be omitted from the plans.*

- c) Be incompatible with existing land uses in the vicinity?  
(Sources: 1 & 3)

*Discussion: The surrounding land use designations are Park and Open Space to the south, southeast, and west; and Agriculture to the north and east. Existing uses adjacent to the project site include a RV park, golf course, commercial waterslide, winery, rural residential, and cattle grazing. The proposed project has been designed in a manner that would allow guests to walk to the various uses that surround the site. It is anticipated that the proposed project will be compatible*

# 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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*with existing and future land uses in the area.*

- d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible uses)?

*Discussion: Surrounding land uses include agriculture, rural residential, RV park, and recreation (water park). The soils map in the United States Department of Agriculture (USDA) Soil Survey of San Luis Obispo County, California, Paso Robles Area (1984) delineates four soil map units on the property: Arbuckle-Positas complex with 9 to 15 percent slopes, Arbuckle-Positas complex with 30 to 50 percent slopes, Arbuckle-San Ysidro complex with 2 to 9 percent slopes, and Xerofluents-Riverwash association. Some of the soils found onsite may be considered desirable for agricultural use, specifically crop production, if irrigated; however, only one acre west of the existing residence is irrigated for use as pasture. Annual grassland habitat occurs on more than 30 acres of the property. Since the project is proposed for transient uses it would not likely be significantly impacted by cattle grazing or vineyard agricultural uses in the vicinity.*

- e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (Sources: 1 & 3)

*Discussion: The project area will not divide or disrupt an established community as surrounding land uses are diverse and disconnected (rural residential, agricultural and an RV Park).*

## II. POPULATION AND HOUSING. Would the proposal:

- a) Cumulatively exceed official regional or local population projections? (Sources: 1 & 3)

*Discussion: Since the project is consistent with the general plan and zoning for Parks and Open Space, and will not be developing new residential land uses, the proposed project will not result it exceeding regional or local population projections..*

- b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? (Sources: 1 & 3)

*Discussion: The project site is in an area zoned for Parks and Open Space type uses, such as the RV park, Firestone Vineyard and the water park. These project along with Vina Robles winery/hotel is required to extend the water and sewer lines prior to additional phases. The extension of the water and sewer lines in this area of the City is part of the City's master plans, and all of these project are required to contribute their fair share. Since the projects are part of a master plan, and there is no request for change of zoning or land use designation, the project will not induce substantial growth in an area either direct or indirectly.*

- c) Displace existing housing, especially affordable housing? (Sources: 1, 3, & 5)

*Discussion: The two existing houses will be removed to accommodate the resort project, however they are not considered affordable housing. Since the project is consistent with the general plan and zoning code, the resort project will not have a significant impact on the displacement of existing housing.*

# 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Less Than Significant Impact	No Impact
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**III. GEOLOGIC PROBLEMS.** Would the proposal result in or expose people to potential impacts involving:

- a) Fault rupture? (Sources: 1, 2)

*Discussion: The primary sources of potential ground shaking in the Paso Robles area are the Rinconada Fault and San Andreas Fault. The Rinconada Fault system traverses the southwestern portion of the City. The San Andreas Fault is on the east side of the valley and runs through the community of Parkfield east of Paso Robles. Review of available information and examinations conducted as part of the General Plan Update EIR, indicate that neither of these faults is active with respect to ground rupture in Paso Robles.*

*The City of Paso Robles recognizes these geologic influences in the application of the Uniform Building Code (UBC) to all new development within the City. The potential for and mitigation of impacts that may result from fault rupture in the project area are identified and addressed in the General Plan EIR, pg. 4.5-8. Soils reports and structural engineering in accordance with local seismic influences would be applied in conjunction with any new development proposal. Based on standard conditions of approval, the potential for fault rupture and exposure of persons or property to seismic hazards is not considered significant. In addition, per requirements of the Alquist-Priolo Earthquake Fault Zones, only structures for human habitation need to be setback a minimum of 50 feet of a known active trace fault.*

- b) Seismic ground shaking? (Sources: 1, 2)

*Discussion: The City is located within an active earthquake area that could experience seismic ground shaking from the Rinconada and San Andreas Faults. The General Plan EIR identifies impacts resulting from ground shaking as less than significant and provides mitigation measures that will be incorporated into the design of any development proposal on the project site, including adequate structural design and not constructing over active or potentially active faults. Future building construction on the project site will be required to comply with current UBC codes.*

- c) Seismic ground failure, including liquefaction? (Sources: 1,2)

*Discussion: Per the General Plan and General Plan EIR, a portion of the project site is located in an area (Huer Huero Creek corridor) with soil conditions that have a potential for liquefaction or other type of ground failure due to seismic events. The EIR identifies measures to reduce this potential impact, which will be incorporated into this project. This includes a requirement to conduct a site-specific analysis of liquefaction potential. Based on analysis results, the design and construction of buildings on the project site may include specific design requirements to reduce the potential impacts on structures due to liquefaction to a less than significant level, as required by the UBC codes.*

- d) Seiche, tsunami, or volcanic hazard? (Sources: 1, 2)

*Discussion: The project area is approximately 30 miles from the Pacific Ocean, is approximately 800 feet above sea level, and is not located within close proximity to a lake, reservoir, or known volcano. As such, effects from seiche, tsunami, and volcanoes are not expected.*

## 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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e) Landslides or Mudflows? (Sources: 1, 2)

*Discussion: According to hazard maps contained in the General Plan (Figure S-4), the project is located in an area with a low potential of landslide risk. Effects from landslides or mudflows are not expected.*

f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? (Sources: 1, 2, 3, & 4)

*Discussion: The project site is situated on alluvial terraces on the east side of Huer Huero Creek. The eastern end of the property is on the terrace, and the western portion slopes down to include a small portion of Huer Huero Creek. Most of the property is grazed annual grassland habitat with stands of blue oaks and valley oaks. There is a steep ravine in the middle of the property that has a dense forest of blue oaks. The proposed project is proposing grading for the construction of roads, parking lots and buildings. An Erosion Control Plan will be required to be submitted for review and approval of the City Engineer prior to commencement of site grading to insure compliance with the Municipal Code. Therefore, impacts due to erosion that may occur from this project are considered less than significant.*

g) Subsidence of the land? (Sources: 1, 2, & 3)

*Discussion: Refer to c. above.*

h) Expansive soils? (Sources: 4)

*Discussion: Per the General Plan EIR, Paso Robles is an area that has moderately expansive soils. Development projects proposed for the project site would be required to implement recommendations of a site specific soils report, which is routinely required as part of an application for a building permit, would be sufficient to mitigate hazard impact to a less than significant level.*

i) Unique geologic or physical features? (Sources: 1 & 3)

*Discussion: There are no unique geologic or physical features on or near the project site.*

### IV. WATER. Would the proposal result in:

a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (Sources: 1, 3, & 7)

b) Exposure of people or property to water related hazards such as flooding? (Sources: 1, 3, & 7)

c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)? (Sources: 1, 3, & 7)

# 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Changes in the amount of surface water in any water body? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Changes in currents, or the course or direction of water movement? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? (Sources: 1,3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Altered direction or rate of flow of groundwater? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Impacts to groundwater quality? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Discussion: a-i*

*The property is situated on alluvial terraces on the east side of Huer Huero Creek in the northeastern corner of the City of Paso Robles. The project site is identified on the City’s Hazard Mitigation as being located in the 100-year floodplain (Figure 6-10). The eastern end of the property is on the terrace, and the western portion slopes down to include a small portion of Huer Huero Creek. Two drainages pass through the property, each with a seasonal man-made stock pond actively used by cattle, and several small grassy swales are on the property that drain storm run-off from the flat terraces. The main drainage flows northeast through the center of the property. Surface flows are seasonal, but standing water may be present into late spring. Pond 2, the smaller of two stock ponds on the property, is located in this drainage, east of the existing residence. An earthen dam occasionally breaches, spilling water through an irrigated pasture to a storm drain at Airport Road. The main drainage is shaded by a blue oak woodland canopy covering the north-facing slope and drainage bottom. The entire length of the drainage is about half a mile, extending east of the property into adjacent rangeland. A smaller drainage meanders through the adjacent RV park and enters the property from the south, terminating at Pond 1. The riparian canopy is open, consisting of blue and valley oaks. Pond 1 is the larger pond on the property, located south of the existing residence.*

*With the development of the resort project there will be an increase in the amount of surface runoff as a result of the addition of roads, parking lots and buildings. The project has provided a grading and drainage plan that has incorporates Low Impact Design (LID) techniques. The project will be required to submit a final grading, drainage and erosion control plan for review by the City Engineer to insure compliance with City and State standards, in relation to impacts of the development on runoff, flooding, surface water and water quality, since the project will be required to meet City and State standards, development within a flood zone, historic rate of runoff and LID requirements. Additionally, there will be a requirement to utilize drought tolerant landscaping techniques and encouragement to use water conservation techniques to reduce the amount or water used by the project. It is not anticipated that there will be a significant impact to water in relation to drainage, flow, quality, quantity and flooding, since there are specific City and State standards that would prevent these water related impacts to be significant.*

**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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**V. AIR QUALITY.** Would the proposal:

a) Violate any air quality standard or contribute to an existing or projected air quality violation? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Expose sensitive receptors to pollutants? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Alter air movement, moisture, or temperature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*Discussion a – d:*

*The San Luis Obispo 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 that would cause local and state standards to be exceeded. To aid in the assessment of project impacts subject to CEQA review, the APCD published the “CEQA Air Quality Handbook” in April 2003. This handbook establishes screening thresholds for measuring the potential of projects to generate air quality impacts. Generally, any project that has the potential to emit 10 lbs./day or more of reactive organic gases (ROG), oxides of nitrogen (NOx), sulfur dioxide (SO2), or particulate matter (PM10) or 50 lbs/day or more of carbon monoxide (CO) should be reviewed by the SLO APCD.*

*The resort project has been reviewed by the San Luis Obispo Air Pollution Control District. See the attached letter (Attachment C) from the APCD indicating the necessary mitigation measures for the construction and operation phases of the project to reduce emissions from this project to a less than significant level.*

- APCD-1** Prior to any grading on the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption form must be filed with the District. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos (Air Toxics Control Measure) ACTM.
  
- APCD-2** If utility pipelines are scheduled for removal or relocation; or building are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP).
  
- APCD-3** The project shall be conditioned to comply with all applicable District regulations pertaining to the control of fugitive dust (PM-10) as contained in section 6.5 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:
  - a. Reduce the amount of the disturbed area where possible.
  - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
  - c. All dirt stockpile areas should be sprayed daily as needed.
  - d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
  - e. Exposed ground areas that are to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
  - f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.

## 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant	Less Than Significant Impact	No Impact
		Unless Mitigation Incorporated		

- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible

### APCD-4 Construction Permit Requirements:

If portable equipment, 50 horsepower or greater, are used during construction, a California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the Districts CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50hp or greater;
- IC Engines;
- Concrete batch plants;
- Rock and pavement crushing;
- Tub grinders; and
- Trommel screens.

### APCD-5 Develop a comprehensive Construction Activity Management Plan designed to minimize the amount of large construction equipment operating during any given time period. The plan should be submitted to the District for review and approval prior to the start of construction. The plans should include but not be limited to the following elements:

- Schedule construction truck trips during non-peak hours to reduce peak hour emissions;
- Limit the length of the construction work-day period, if necessary; and,
- Phase construction activities, if appropriate.

### APCD-6 Standard NOx Control Measures for Construction Equipment

The standard construction equipment mitigation measures for reducing nitrogen oxide (NOx) emissions are listed below and in section 6.3.1 of the Air Quality Handbook. **These measures are applicable to all projects where construction equipment will be used:**

- Maintain all construction equipment in proper tune according to manufacturer's specifications.
- Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- Maximize to the extent feasible, the use of on-road heavy-duty equipment and trucks that meet the ARB's 1998 or newer certification standard for on-road heavy-duty diesel engines.
- All on and off-road diesel equipment shall not be allowed to 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.



# 10 Environmental Checklist Form

	Potentially Significant	Potentially Significant	Potentially Significant	Potentially Significant
	Unless Mitigation Incorporated	Less Than Significant Impact		
ISSUES (and Supporting Information Sources):				No Impact

## APCD 7 OPERATIONAL PHASE MITIGATION

### Greenhouse Gas Impacts and Mitigation

While California successfully passed Assembly Bill 32, California's Global Solutions Act of 2006, little guidance was provided to lead agencies regarding how to address greenhouse gas (GHG) impacts in the CEQA process. In the 2007 California legislative session, Senate Bill 97 was passed and required that the California Office of Planning and Research, by July 1, 2009, prepare and develop guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions as required by CEQA, including, but not limited to, effects associated with transportation or energy consumption. As guidelines are not currently available, the APCD suggests that projects subject to CEQA should quantify project related GHG emissions and identify feasible mitigation.

The APCD staff considered the operational impact of this proposed development by running the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. This indicated that operational phase impacts of the greenhouse gas known as carbon dioxide (CO2) will be approximately 19533 pounds per day in the summer and 18685 pounds per day in the winter. **While statewide/global thresholds have not yet been defined for GHG impacts, SLO County APCD recommends the implementation of feasible mitigation measures that minimize project related GHG impacts.** Examples of potential measures for this development include:

- Developments within Urban Reserve Lines with walking or bicycling access to nearby commercial and transit services thus reducing automobile dependence;
- Install on-site solar power infrastructure to offset grid-based power consumption.
- Provide low-speed neighborhood electric vehicles (NEVs) and charging stations for internal use by resort patrons.
- Replacing support equipment and vehicles that have internal combustion engines with their electric equivalents;
- Green building techniques such as:
  - Building positioning and engineering that eliminate or minimize the development's active heating and cooling needs;
  - Planting of native, drought resistant landscaping;
  - Use of locally or nearby produced building materials; and,
  - Use of renewable or reclaimed building materials.

Other measures suitable for GHG as well as ozone precursor mitigation are listed below in this comment letter.

### Operational Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Operational sources may require APCD permits. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Electrical generation plants or the use of standby generator;
- Food and beverage preparation (primarily coffee roasters);
- Dry cleaning; and,
- Boilers.

**To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.**

# 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):

	Potentially Significant	Potentially Significant	Potentially Significant	Potentially Significant
	Unless Mitigation Incorporated	Less Than Significant Impact		

**APCD 8:** APCD staff has determined the operational impacts of this development by running the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project’s land uses. The results of the model using conservative County average trip distances demonstrated that the operational impacts will (likely exceed the APCD’s CEQA **Tier II** significance threshold value of **25 lbs/day** for nitrogen oxides (NOx), reactive organic gases (ROG) and particulate matter (PM10) as shown below:

Season	Project Emissions by Pollutant (lbs/day)		
	ROG	NOx	PM10
Summer	28.90	37.24	31.54
Winter	32.30	47.13	31.52

**As a result of this estimated threshold exceedence, this project must implement all applicable Standard Mitigation Measures and at least 10 Additional Mitigation Measures listed below.** Should this project move forward, the APCD will consider the overall air quality impacts from this project to have been reduced to a level of insignificance with the implementation of these mitigation measures. Other measures may be proposed as replacements by contacting the APCD’s Planning Division at 781-5912.

**Standard Measures (Include all standard mitigation measures marked below)**

- Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
- Provide on-site eating, refrigeration and food vending facilities to reduce employee lunchtime trips.
- Provide preferential carpool and vanpool parking spaces.
- Provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees.
- Include easements or land dedications for bikeways and pedestrian walkways.
- Provide continuous sidewalks separated from the roadway by landscaping and on-street parking. Adequate lighting for sidewalks must be provided, along with crosswalks at intersections.

**Additional Measures (Include at least 10 of the following)**

Site Design Mitigation for this Project

- Increase street shade tree planting.
- Increase shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
- Provide on-site banking (ATM) and postal services.
- Provide on-site child care facilities for employees.
- Provide on-site housing for employees.
- Implement on-site circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment with designated walkways.
- Provide pedestrian signalization and signage to improve pedestrian safety.
- If the project is located on an established transit route, improve public transit accessibility by providing transit turnouts with direct pedestrian access to the project.
- Provide outdoor electrical outlets to encourage the use of electric appliances and tools.
- Increase number of bicycle routes/lanes.

Transportation Demand Mitigation

- If the project is located on an established transit route, improve public transit accessibility by providing a transit turnout with direct pedestrian access to the project or improve existing transit stop amenities.
- Provide incentives to employees to carpool/vanpool, take public transportation, telecommute, walk, bike, etc by implementing the Transportation Choices Program. The applicant should Contact SLO Regional Rideshare at 541-2277 to receive free consulting services on how to start and maintain a

# 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Less Than Significant Impact	No Impact

- program.
- Provide Transportation Choices Program information centers on alternative transportation modes at the site (i.e. a transportation kiosk). Contact SLO Regional Rideshare for appropriate materials at 541-2277.
- Install electric vehicle charging stations.
- Employ or appoint an Employee Transportation Coordinator.
- Implement an APCD approved Trip Reduction Program.
- Provide for shuttle/mini bus service.
- Implement a lunch-time shuttle to reduce single occupant vehicle trips.
- Participate in an employee "flash pass" program, which provides free travel on transit buses.

### Energy Efficiency Measures

- Shade tree planting along southern exposures of buildings to reduce summer cooling needs.
- Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs.
- Use built-in energy efficient appliances, where applicable.
- Use double-paned windows.
- Use low energy parking lot and street lights (e.g. sodium).
- Use energy efficient interior lighting.
- Use low energy traffic signals (e.g. light emitting diode).
- Install door sweeps or weather stripping if more energy efficient doors and windows are not available.
- Install high efficiency or gas space heating.
- Use high efficiency gas or solar water heaters.

### Operational Permit Requirements:

If any of the following equipment is present at the site either during construction or in the operational phase of the project, Contact Gary Willey of the District's Engineering division at (805) 781-5912 for specific information regarding permitting requirements:

- Portable generators and equipment with engines that are 50hp or greater;
- Electric generation plants of the use of standby generator;
- Boilers; and
- IC Engines

To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering division at (805) 781-5912 for specific information regarding permitting requirements.

## VI. TRANSPORTATION/CIRCULATION. Would the proposal result in:

- a) Increased vehicle trips or traffic congestion?
- (Sources: 1, 3, & 7)

*Discussion: A Traffic Study was prepared by Omni Means in April 2008 (Attachment D) to study the traffic and circulation affects of the proposed resort project on the Airport Road corridor.*

The City Engineer reviewed the traffic study and provided the following determinations and conclusions:

The development of the Handley Resort project will incrementally affect operations on the intersection of Airport Road and SR 46E, and will thereby affect overall operations of Highway 46 East.

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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

Caltrans is currently in the process of developing a Route 46E Comprehensive Corridor Study. The City is currently in the process of developing an updated traffic model with the intention of updating the Circulation Element of the General Plan. Once the documents referenced above have been adopted by the City Council, transportation impact fees will be amended to reflect new improvement projects which will mitigate traffic impacts from development in the project vicinity, including this project.

The Destino Paso project will be conditioned to pay transportation development impact fees in effect at the time of occupancy. These fees will be based on the results of the studies and improvements noted above. The calculation of the fees will not include consideration of fees currently in effect or those that may have been in effect at the time the entitlement application was made or in effect at the time of submittal of a building permit.

In order to adequately mitigate it's traffic related impacts to a level of less than significant, the following mitigation measures need to be applied to this project:

Mitigation Measures:

**T-1. The project will be subject to traffic impact and other development impact fees in effect at the time of occupancy of the project. Traffic mitigation will include the deposit of \$1,600,000 towards construction of a bridge over the Huer Huero proportionally applied to the incremental development of the project. When transportation impact fees are updated by council action, the final fee obligation shall be equal to that defined by the new fee structure.**

- b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Sources: 1, 3, & 7)

*Discussion: There would be no hazards related to the improvements of Airport Road and there are no incompatible uses. Airport Road will be improved per City Standards including any necessary turn lanes.*

- c) Inadequate emergency access or inadequate access to nearby uses? (Sources: 1, 3, & 7)

*Discussion: The Fire Marshal has reviewed the project and does not have any concerns with access in to or out of the project. Internally the project will be required to meet the minimum 20-foot wide driveway standards set by the Emergency Services Department.*

- d) Insufficient parking capacity on-site or off-site? (Sources: 1, 3, 7, & 8)

*Discussion: The project has been designed to comply with the parking required by the Parking Ordinance.*

- e) Hazards or barriers for pedestrians or bicyclists? (Source: 7)

*Discussion: The project has been designed to provide a pedestrian/bike trail to connect the various uses on the site, additionally the path will allow connection to the RV Park to the south. The street improvements for Airport Road will also include a bike lane. There would not be hazards or barriers for pedestrians or bicyclists as a result of this project.*

- f) Conflicts with adopted policies supporting alternative

**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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transportation (e.g., bus turnouts, bicycle racks)?  
(Sources: 1 & 8)

*Discussion: The project will include bike racks, and also provide shuttle services as an amenity of the resort project. The City bus system does not indicate Airport Road as an established route. There will not be any conflicts with established adopted policies.*

g) Rail, waterborne or air traffic impacts?

*Discussion: There are no impacts with rail or waterborne modes of transportation. See section IXc related to Hazards and airport related impacts.*

**BIOLOGICAL RESOURCES.** Would the proposal result in impacts to:

- |  |                          |                                     |                          |                          |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Endangered, threatened or rare species or their habitats (including but not limited to: plants, fish, insects, animals, and birds)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Locally designated species (e.g., heritage trees)?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Wetland habitat (e.g., marsh, riparian and vernal pool)?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Wildlife dispersal or migration corridors?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

*Discussion a-e: Existing use of the site includes cattle grazing, an access road from Airport Road, and one single family home with adjacent barns and outbuildings, including a caretaker residence and warehouse.*

*Althouse and Meade prepared a Biological Report dated August 2006 and revised in January 2008 (Attachment E). The Report indicated that the project site was surveyed for biological resources on November 17, 2005 and January 5, February 10, and 27, and March 30, May 2 and 31, and July 31, 2006, and August 29, 2007 (Table 3) and conducted a search of the California Natural Diversity Database (CNDDDB March 6, 2006 data) and the California Native Plant Society (CNPS) On-line Inventory of Rare and Endangered Plants of California for rare species that could occur within five miles of the project site. The Handley property contains seven habitat types: irrigated pasture, anthropogenic, annual grassland, blue oak woodland, seasonal pond, wetland, and riparian. Annual grassland habitat occurs on more than 30 acres of the property and includes non-native annual grass species. A floristic survey of the property identified 125 species of plants, including 2 rare species. Wildlife surveys on the property observed 95 animal species, including 2 crustaceans, 5 amphibians, 9 reptiles, 58 birds, and 21 mammals. The site has the appropriate habitat to support 7 rare plant species (Dwarf Calyncadenia, Obispo Indian paintbrush, Lemmon's Jewel-flower, Douglas' spineflower, Yellow-flowered EriasturmRound-leaved Erodium, and Shinging Navarretia). Two of the seven plant species, Douglas' spineflower and shing navarretia, were identified on the property in the fall of 2005. The project site also has the appropriate habitat for 11 rare animals (pallid bat, burrowing owl, vernal pool fairy shrimp, southwestern pond turtle, horned lark, loggerheard shrike, California linderiella, San Joaquin pocket mouse, western spadefoot toad, American badger, and San Joaquin kit fox). Preliminary site surveys did not reveal the presence of rare animals.*

## 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Less Than Significant Impact	Potentially Significant No Impact
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*A & T Arborists prepared an Arborist Report and a Tree Preservation Plan (Attachment F) for the project site which includes an inventory and survey of all trees (blue oaks) on the periphery of the ravine located in the middle of the property and an inventory all other oak trees on the property. The inventory documented approximately 300 oak trees on the property. According to the development plan, no oak trees will be removed to accommodate future development on the project site; however, 3 trees will receive slight impacts during construction, and approximately 30 trees will have intermittent use under the canopies after implementation of the development plan.*

*Since this site is in an area that is considered to be a migration corridor for the Kit Fox, an evaluation was prepared by Mike McGovern of Althouse & Meade which was reviewed by Department of Fish and Game. The Department reviewed the evaluation and adjusted the score of the Habitat Evaluation Score to 76, and concluded that the project would be required to mitigate at a 3:1 mitigation ratio.*

*Specific biological mitigation measures are as follows:*

### Biological Resources Mitigation Measures

**BIO-1:** *A Wetland Delineation was prepared for the project in June 2008 (see Attachment G). Of the four areas of the site evaluated for wetlands, two of the sites (sites 1 & 3) were determined to be a Federal and State Wetland. Since wetlands to occur on the project site, the following mitigation measures shall be applied:*

- i. Permits must be obtained, as appropriate, from the California Department of Fish and Game (DFG Code 1603), the U.S. Army Corps of Engineers (Section 404 of the Clean Water Act), the Regional Water Quality Control Board (Section 401 of the Clean Water Act).*
- ii. An on-site monitor will be required during construction activities in areas containing jurisdictional wetlands.*
- iii. Any mitigation, monitoring, and reporting plan will be prepared and approved by the City and other jurisdictional agencies, as appropriate (i.e., California Department of Fish and Game, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board). Wetland mitigation will increase the aerial extent of wetland habitat on site at a two-to-one ratio (created wetland area to impacted wetland area).*
- iv. Mitigation implementation and success will be monitored for a minimum of three years, depending on the jurisdictional agencies' requirements.*

**BIO-2:** Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during breeding season from March 15 to August 15. If construction activities must be conducted during this period, nesting bird surveys shall take place within one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet nest until chicks are fledged. Construction activities shall observe a 300-foot buffer for occupied raptor nests. A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging or the buffer zone and make recommendations on additional monitoring requirements.

Oak tree impacts and mitigation requirements shall be compiled by the project Arborist. The following mitigation recommendations are modeled after guidelines set forth in the Paso Robles Tree Ordinances (City of Paso Robles – Ordinance No. 835 N.S.).

**BIO-3:** Tree canopies and trunks within 50-feet of proposed disturbance zones should be mapped and numbered by a qualified biologist and a licensed land surveyor. Data for each tree should include date, species, number of stems, diameter at breast height (dbh) of each stem, critical root zone (CRZ) diameter, canopy diameter, tree height, health, habitat notes, and nests observed. – Completed 2005, See Arborist Report by A&T Arborists along with plan by NCE, Attachment F).

**BIO-4:** An oak tree protection plan shall be prepared and approved by the City of Paso Robles.

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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Potentially Significant Impact	Less Than Significant Impact	No Impact

**BIO-5:** Impacts to the oak canopy or critical root zone (CRZ) should be avoided where practicable. Impacts include pruning, an ground disturbance within the dripline or CRZ of the tree (whichever is greater), and trunk damage. The current plans shows encroachments into trees No. 1, 59, 49 and 48 show encroachments into the CRZ for footings of casitas buildings. The project needs to be redesigned so that there is not encroachment into the CRZ of any oaks.

**BIO-6:** Impacted oaks shall be mitigated for by planting one 24-inch boxed tree for impacts up to 25-percent of the root zone or canopy. Two 24-inch boxed trees shall be planted for trees within impacts of 50-percent of the tree, and so on. The mitigation tress shall be incorporated into the landscape plan.

**BIO-7:** Replacement oaks for removed trees must be an equivalent to 25-percent of the diameter of the remove tree(s). For example, the replacement requirement for removal of two trees of 15 inches dbh (30 total diameter inches), would be 7.5 inches (30-inches removed x 0.25 replacement factor). The requirement could be satisfied by planting five 1.5-inch trees, or three 2.5-inch trees, or any other combination totaling 7.5-inches. A minimum of two 24-inch box, 1.5-inch trees shall be required for each oak tree removed.

**BIO-8:** Replacement trees should be seasonally maintained (browse protection, weed reduction, and irrigation, as needed) and monitored annually for at least 7 years.

**BIO-9:** An Arborist Report was prepared by A&T Arborists for this project (see Attachment F). The report indicates that all trees will be preserved on this site except for Trees No. 18 & 19, which are trees that are in poor condition and are needed to be removed in order to allow for the road improvements to Airport Road. The request to remove these two trees will need to go forward to the City Council. In the event that the Council does not approve the removal of the two trees, they will need to be preserved in accordance with the Oak Tree Ordinance.

**BIO-10:** Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of El Paso de Robles, Community Development, Planning Division that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of **51** acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.) requires that all aspects if this program must be in place before County permit issuance or initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total **\$127,500**. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase **51** credits in a Department-approved conservation bank, which would provide for the protection in

## 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant	Less Than Significant	No Impact
		Unless Mitigation Incorporated	Impact	

perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total **\$127,500**. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

**BIO-11: Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:

- i. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist 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.
- ii. **The qualified biologist shall conduct weekly site visits during site-disturbance activities** (i.e. grading, diskings, excavation, stockpiling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-14 through BR-23. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-14iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.
- iii. **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 biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFG 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, work shall stop until such time the USFWS determines 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 USFWS. 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.

- iv. **In addition**, the qualified biologist 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:
    - Potential kit fox den: 50 feet
    - Known or active kit fox den: 100 feet
    - Kit fox pupping den: 150 feet
  2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and



## 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant	Less Than Significant	No Impact
		Unless Mitigation Incorporated	Impact	

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 by a qualified biologist shall be required during ground disturbing activities.

**BIO-12: Prior to issuance of grading and/or construction permits,** the applicant shall clearly delineate the following as a note on the project plans: *“Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox”*. Speed limit signs shall be installed on the project site **within 30 days prior to initiation of site disturbance and/or construction.**

**BIO-13: 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.

**BIO-14: Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction,** all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox’s life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

**BIO-15: During the site-disturbance and/or construction phase,** to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and 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 biologist and allowed to escape unimpeded.

**BIO-16: 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. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped

**BIO-17: During the site-disturbance and/or construction phase,** all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

**BIO-18: 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.

**BIO-19: 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

**10 Environmental Checklist Form**

	Potentially Significant	Potentially Significant	Potentially Significant	Potentially Significant
	Unless Mitigation Incorporated	Less Than Significant Impact		
ISSUES (and Supporting Information Sources):				No Impact

report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFG by telephone. 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 CDFG for care, analysis, or disposition.

**BIO-20: Prior to final inspection, or occupancy, whichever comes first,** should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

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

**Monitoring (San Joaquin Kit Fox Measures BR-10 to BR-20): Compliance will be verified by the City of Paso Robles, Planning Division in consultation with the California Department of Fish and Game. As applicable, each of these measures shall be included on the construction plans.**

**American badger**

American badger could occur in the project areas. The project will result in a net loss of badger habitat. Mitigation is not required for loss of badger habitat. To ensure take of live badgers does not occur, the following mitigation recommendation shall be implemented:

**BIO-21: A pre-construction survey shall be conducted within thirty days of beginning work on the project** to identify if badgers are using the site. The results of the survey shall be sent to the project manager, CDFG, and the City of El Paso de Robles.

If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property, and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens on the property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1 and February 1 all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the property during the pre-construction survey, the CDFG wildlife biologist for the area shall be contacted to review current allowable management practices.

**BIO-22:** Prior to removal of any trees over 20-inches dbh, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming may harbor sensitive bat species or maternal bat colonies. Maternal bat colonies may not be disturbed.

**BIO-23:** All occupied nests shall be mapped using GPS or survey equipment. The mapped locations shall be placed on a copy of the grading plans with a 300-foot buffer indicated. Work shall not be allowed within the 300 foot buffer while the nest is in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas. The project biologist may use discretion to reduce or increase the buffer distance based on the sensitivity level of the nest adjacent work.

**BIO-24:** Occupied nests of special status bird species that are within 300-feet of project work areas shall be monitored bi-monthly through the nesting season to document nest success and check for project compliance with buffer zones.

**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Once nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work can commence.

**BIO-25:** Prior to the issuance of grading and/or construction permit(s), if work is expected to impact seasonal ponds on the property, a biologist qualified to conduct surveys for sensitive fairy shrimp species according to USFWS protocols shall conduct a fairy shrimp habitat assessment to determine the potential for fairy shrimp to occur on site. If potential habitat is present, a protocol survey shall be conducted. If vernal pool fairy shrimp (*branchinecta lynchi*) are discovered, consultation with the USFWS must occur.

**VIII. ENERGY AND MINERAL RESOURCES.** Would the proposal:

- a) Conflict with adopted energy conservation plans? (Sources: 1)

*Discussion: The proposed project will not conflict with adopted energy conservation plans. The project will be required to comply with California Energy Code.*

- b) Use non-renewable resources in a wasteful and inefficient manner? (Sources: 1)

*Discussion: The project will not use or promote the use of non-renewable resource in a wasteful and inefficient manner.*

- c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? (Sources: 1, 7)

*Discussion: The project is not located in an area of known mineral resources that would be of future value to the region and the residents of the State.*

**IX. HAZARDS.** Would the proposal involve:

- a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals, or radiation)? (Sources: 1 & 7)

*Discussion: The proposed project does not include the use, transport, or storage of hazardous materials and will not result in a risk of accidental explosion or release of hazardous substances.*

- b) Possible interference with an emergency response plan or emergency evacuation plan? (Sources: 1 & 7)

*Discussion: The proposed project will not interfere with an emergency response plan or emergency evacuation plan since it is not a designated emergency response location to be used for staging or other uses in an emergency.*

- c) The creation of any health hazard or potential hazards? (Sources: 1, 7 & 11)

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	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ISSUES (and Supporting Information Sources):				

*Discussion: All projects in the Airport SubArea/Overlay, must be consistent with the ALUP. (Refer to ALUP Section 4.5) The following mitigation measures are recommended to ensure compliance with the ALUP and to reduce potentially significant effects of airport-related hazards to a less than significant level:*

**Hazard Mitigation Measures**

*H-1 – Airport and Aircraft Safety: Development of any new land use on the project site shall not create an undue public safety risk from overflight of aircraft. The eastern portion of project site is in Airport Safety Zone 3 for turning and sideline zones and the western portion is Safety Zone 4 for outer approach and departure zones. All development plan, proposed use, or subdivision on the project site is subject to the nonresidential land use densities and open space requirements as provided in Chapter 4 of the Paso Robles ALUP which are excerpted below (Table 5, ALUP, 2007).*

<i>Handley Property Airport Safety Areas</i>	<i>Maximum Land Use Density (persons/acre)</i>	<i>Maximum Single Acre Land Use Density (persons/acre)</i>	<i>Maximum Percent Open Space (% gross area)</i>
<i>Safety Zone 2</i>	<i>20</i>	<i>40</i>	<i>30<sup>1</sup></i>
<i>Safety Zone 3</i>	<i>60</i>	<i>120</i>	<i>25<sup>2</sup></i>
<i>Safety Zone 4</i>	<i>40</i>	<i>120</i>	<i>20<sup>2</sup></i>

*<sup>1</sup>No structures, congregations of equipment or vehicles, or public venues shall be located within 250 feet of any extended runway centerline and within 6000 feet of the corresponding runway end.*

*<sup>2</sup>When feasible, development should be planned in a manner that maintains maximum open space within 50 feet of any extended runway centerline.*

*H-2 - Airspace Protection: No object or structure may be erected, and no plant allowed to grow, to penetrate any “imaginary surface” as defined in Federal Aviation Regulations Part 77. Any proposed feature approaching these surfaces will be referred to the airport manager for review and recommendation. Building within the height limits of this specific plan will not approach the FAA imaginary surfaces.*

*H-3 - Operations Interference: No use shall be established which produces visually significant quantities of smoke.*

*H-4 - Bird Attractants: No use shall be established and no activity conducted which attracts birds to the extent of creating a significant hazard of bird strikes. Examples are outdoor storage or disposal of food or grain, or large, artificial water features. This provision is not intended to prevent enhancement or protection of existing wetlands, the mitigation of impacts to wetlands or construction of required detention basins.*

*H-5 Avigation Easements: At the time of subdivision development, avigation easements shall be recorded for each affected parcel in a form approved by the County of San Luis Obispo Airport Land Use Commission.*

*H-6 Real Estate Disclosure: All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport area. The format of the disclosure shall be approved by the County of San Luis Obispo Airport Land Use Commission.*

- d) Increased fire hazard in areas with flammable brush, grass, or trees? (Sources: 1 & 7)

*Discussion: The project site is within a low to medium wildfire hazard area according to the City’s Hazard Mitigation Study, Figure 6-18. The proposed GPA/Rezoning is not expected to increase fire hazard in the area. Future development of the site will be required to be in compliance with Uniform Building and Fire Codes, related building safety codes, and City and County brush and grass clearance requirements.*

**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

**X. NOISE.** Would the proposal result in:

- |   |                          |                                     |                          |                                     |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Increases in existing noise levels? (Sources: 1, 7, 8 & 11)        | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exposure of people to severe noise levels? (Sources: 1, 7, 8 & 11) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |

*Discussion:* The City of Paso Robles has adopted noise standards through its Noise Element. The City’s noise criteria and standards were developed based on the California Department of Health, Office of Noise Control, noise compatibility guidelines for various land uses, which are included in the City of Paso Robles Noise Element as Figure N-1, as well as the California Department of Transportation (CalTrans) and the Federal Highway Administration. These guidelines are used to assess whether or not transportation noise can potentially pose a conflict with land development.

Because the project involves a destination resort, City noise standards that address hotels and motels would apply. These standards establish both exterior and interior noise limits for noise compatibility. The normally acceptable outdoor standard for this land use is 65 dBA CNEL, under which the specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements. The conditionally acceptable threshold is 70 dBA CNEL, under which new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made, and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice. The normally acceptable indoor standard for this land use is 45 dBA CNEL.

According to the City of Paso Robles General Plan Noise Element, noise due to construction shall not exceed 70 dBA during the day (7:00 a.m. to 10:00 p.m.) and 65 dBA at night (10:00 p.m. to 7:00 a.m.) at the property line of the receiving land use. Since noise levels associated with heavy equipment typically range from 75-95 dBA at 50 feet from the source, operation of construction equipment has the potential to exceed City thresholds, and may require mitigation. Possible mitigation measures related to sources of construction noise are included at the end of this memorandum.

In order to insure compliance with the City’s noise element, Rincon Consultants, Inc. was hired by the applicant to prepare a noise study for the project. The study is attached to this initial study (Attachment H). The following mitigation measures were identified in the study as needing to be complied with to bring the projects noise impacts to a level of non-significance:

*Recommended Mitigation Measures*

**Construction Noise Attenuation**

- N-1: *Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with a muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the study area without said muffler.*
- N-2: *All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.*
- N-3: *Whenever feasible, electrical power shall be used to run air compressors and similar power tools.*
- N-4: *Construction activity for site preparation and for future development shall be limited to the hours between 7:00 AM and 7:00 PM, Monday through Friday and Saturday 8:00 AM to 6:00 PM. No construction shall occur on Sundays or State holidays (i.e. Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours.*
- N-5: *For all construction activity on the project site, noise attenuation techniques shall be employed as needed to ensure that noise remains below 65 dBA at nearby residences. Such techniques may include, but are not limited to, the use of*

**10 Environmental Checklist Form**

		Potentially Significant		
	Potentially Significant Impact	Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ISSUES (and Supporting Information Sources):				

*sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and affected uses.*

*N-6: Provide notification to home occupants adjacent to the study area at least 24 hours prior to initiation of construction activities that could significantly affect outdoor or indoor living areas. This notification shall include the anticipated hours and duration of construction and a description of noise reduction measures.*

*N-7: The applicant shall provide a telephone number for local residents to call to submit complaints associated with construction noise. The number shall be posted along the Airport Road portion of the site and shall be easily viewed from adjacent public areas.*

**Exterior Noise Attenuation**

*N-8: Structures located within unacceptable noise contours shall provide attenuation of exterior usable area noise levels to below 65 dBA CNEL. This can be accomplished using one or more of the following methods:*

*N-9: A structural setback from the roadways that generate the unacceptable noise levels;*

*N-10: Installation of vegetated berms, in combination with structural setbacks from the roadways that generate the unacceptable noise levels;*

*N-11: Locate exterior usable areas that border sources of unacceptable noise levels within an interior courtyard.*

**Interior Noise Attenuation**

*N-12: The walls, doors and windows of units or buildings that face Airport Road shall be constructed to include sufficient noise attenuation to reduce interior levels to a CNEL of 45 dBA. This would require at a minimum the use of double-paned windows on all floors for those windows that face Airport Road.*

*N-13: Windows should have a minimum Standard Transmission Class (STC) of 35 and be properly installed, weather-stripped, and insulated.*

*N-14: Doors with a minimum STC of 35 should be used for doorways facing Airport Road and should be insulated in conformance with California Title 24 requirements.*

*N-15: The exterior wall facing material shall be stucco and/or shall be designed for a minimum STC of 45.*

*N-16: Roof or attic vents facing Airport Road should be baffled.*

*N-17: Air conditioning or a mechanical ventilation system should be included in development plans so that windows and doors may remain closed to reduce interior noise to the extent possible.*

**XI. PUBLIC SERVICES.** Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:

## 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Fire protection? (Sources: 1, 3, 6, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police Protection? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Maintenance of public facilities, including roads? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other governmental services? (Sources: 1,3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*Discussion: a.-e. Since the project complies with the Zoning and Land Use designations for the site, and meets the goals and objectives of the General Plan and Economic Strategy, it is not anticipated that the proposed project will impact public services, such as fire and police protection, schools, maintenance of public facilities and other governmental services. The project will be required to mitigate impacts in the form of development impact fees as established by the city per AB 1600.*

### **XII. UTILITIES AND SERVICE SYSTEMS.** Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

a) Power or natural gas? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Communication systems? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Local or regional water treatment or distribution facilities? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Sewer or septic tanks? (Sources: 1, 3, 7, & 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Storm water drainage? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Solid waste disposal? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Local or regional water supplies? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Discussion a-g: Since the project complies with the Zoning and Land Use designations for the site, and meets the goals and objectives of the General Plan and Economic Strategy, it is not anticipated that the proposed project will impact public services, such as fire and police protection, schools, maintenance of public facilities and other governmental services. The project will be required to mitigate impacts in the form of development impact fees as established by the city per AB 1600.*

*In terms of sewer/septic and water supply, the project will be required to comply with City Standards and provide the necessary information so that the Engineering and Public Works Dept. can determine if any additional facility upgrades are needed to serve the project.*

### **XIII. AESTHETICS.** Would the proposal:

## 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Affect a scenic vista or scenic highway? (Sources: 1, 3, & 7)       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a demonstrable negative aesthetic effect? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*Discussion for a-b: The project is not located on a scenic highway. Part of the development review process is for architectural plans to be reviewed and approved by the Planning Commission. Based on the development review process, this project will not have a demonstrable negative aesthetic effect.*

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Create light or glare? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

*Discussion: Elevated light levels may be experienced on site as a result from development on the project, but all light fixtures will be shielded and downcast as required per city regulations.*

### XIV. CULTURAL RESOURCES. Would the proposal:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Disturb paleontological resources? (Sources: 1, 3, & 7)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Disturb archaeological resources? (Sources: 1, 3, & 7)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Affect historical resources? (Sources: 1, 3, & 7)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have the potential to cause a physical change which would affect unique ethnic cultural values? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Restrict existing religious or sacred uses within the potential impact area? (Sources: 1, 3, & 7)                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*Discussion for a - e: C.A. Singer and Associates, Inc. completed a cultural resources survey and impact assessment for the project site in July 2006. The assessment included a review of archaeological records and reports on nearby properties and a Phase I Archaeological Survey of the project site. No archaeological sites are recorded on or adjacent to the property and no prehistoric or early historic resources have been found in the immediate area. The site reconnaissance survey did not reveal any evidence of prehistoric or historic archaeological resources on the property. The Phase I Report does not recommend further archaeological or historical investigations on the property.*

### XV. RECREATION. Would the proposal:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increase the demand for neighborhood or regional parks or other recreational facilities? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion for a: The proposed resort project will include recreational activities as accessory uses to the resort project, such as swimming pools, spa facilities, walking paths etc. Since the project is not residential, the project will not increase the demand for neighborhood or regional parks and facilities.*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Affect existing recreational opportunities? (Sources 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion: No recreational activities currently or historically are taking place on the proposed site.*

### XVI. MANDATORY FINDINGS OF SIGNIFICANCE.



# 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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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? (Sources: 1 & 3)

*Discussion: Significant existing natural resources have been identified on the project site and mitigation measures are recommended to minimize effects of the proposed development activities.*

b) Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals? (Sources: 1 & 3)

*Discussion: The project will not likely have a potential to achieve short-term, to the disadvantage of long-term environmental goals.*

c) 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.) (Sources: 1 & 3)

*Discussion: The project will not result in significant cumulative impacts.*

d) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: 1 & 3)

*Discussion: The project will not result in substantial adverse environmental impacts on human beings, either directly or indirectly.*

## 11. EARLIER ANALYSIS AND BACKGROUND MATERIALS

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). The earlier documents that have been used in this Initial Study are listed below.

Reference Number	Document Title	Available for Review At
1	City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
2	Seismic Safety Element for City of Paso Robles	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
3	Final Environmental Impact Report City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
4	Soil Survey of San Luis Obispo County, California Paso Robles Area	USDA-NRCS, 65 Main Street-Suite 108 Templeton, CA 93465
5	Uniform Building Code	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
6	City of Paso Robles Standard Conditions of Approval For New Development	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
7	City of Paso Robles Zoning Code	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
8	City of Paso Robles, Water Master Plan	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
9	City of Paso Robles, Sewer Master Plan	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
10	Federal Emergency Management Agency Flood Insurance Rate Map	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
11	Paso Robles Municipal Airport Land Use Plan	San Luis Obispo County Airport Land Use Commission (ALUC) 976 Osos Street, Room 300, San Luis Obispo, CA 93408

### Attachments:

Exhibit A – Vicinity Map

Exhibit B – Mitigation Summary Table

***The following exhibits are not attached to this initial study, but are available for review or purchase at the Community Development Department and are also available on the City's website with this entire staff report at [www.prcity.com](http://www.prcity.com).***

Exhibit C - APCD Letter

Exhibit D – Traffic Impact Study

Exhibit E – Preliminary Biological Study

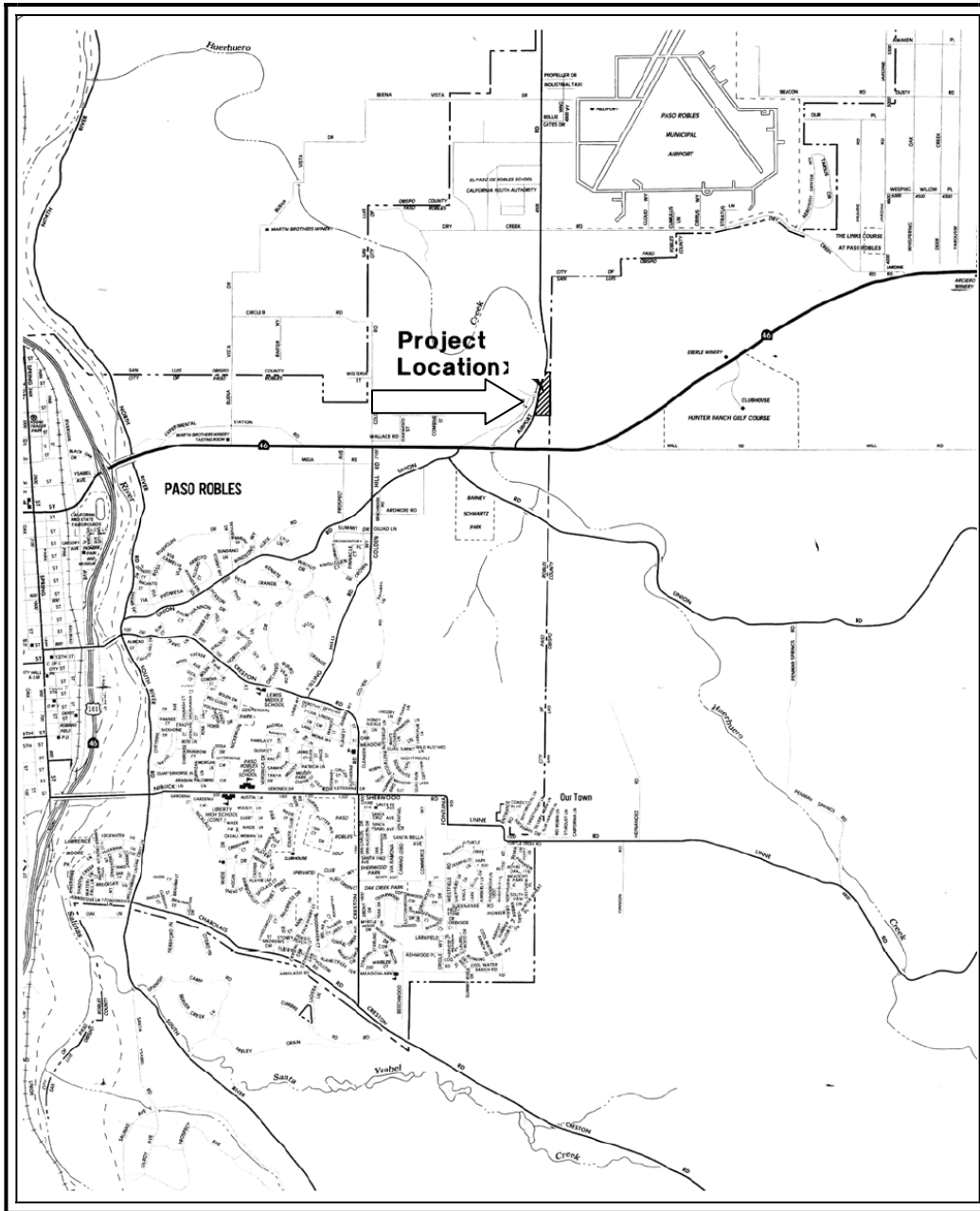
Exhibit F – Tree Preservation Plan/Arborist Report

Exhibit G – Wetland Delineation

Exhibit H - Noise Study

# EXHIBIT A

# VICINITY MAP



General Plan Amendment/ Rezoning  
Handley Property  
3350, 3360 Airport Rd

## EXHIBIT B – MITIGATION SUMMARY TABLE

### LAND USE:

**LU-1:** Kitchen facilities for hotel or casitas units shall be limited to “kitchenettes” and may include a sink, microwave, and beverage refrigerator and stoves and ovens are prohibited.

### TRAFFIC:

**T-1:** The project will be subject to traffic impact and other development impact fees in effect at the time of occupancy of the project. Traffic mitigation will include the deposit of \$1,600,000 towards construction of a bridge over the Huer Huero proportionally applied to the incremental development of the project. When transportation impact fees are updated by council action, the final fee obligation shall be equal to that defined by the new fee structure.

### AIR POLLUTION CONTROL DISTRICT:

**APCD-1:** Prior to any grading on the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption form must be filed with the District. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos (Air Toxics Control Measure) ACTM.

**APCD-2:** If utility pipelines are scheduled for removal or relocation; or building are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP).

**APCD-3:** The project shall be conditioned to comply with all applicable District regulations pertaining to the control of fugitive dust (PM-10) as contained in section 6.5 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:

- a. Reduce the amount of the disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
- c. All dirt stockpile areas should be sprayed daily as needed.
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
- e. Exposed ground areas that are to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.

- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible

**APCD-4** Construction Permit Requirements:

If portable equipment, 50 horsepower or greater, are used during construction, a California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the Districts CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50hp or greater;
- IC Engines;
- Concrete batch plants;
- Rock and pavement crushing;
- Tub grinders; and
- Trommel screens.

**APCD-5** Develop a comprehensive Construction Activity Management Plan designed to minimize the amount of large construction equipment operating during any given time period. The plan should be submitted to the District for review and approval prior to the start of construction. The plans should include but not be limited to the following elements:

- Schedule construction truck trips during non-peak hours to reduce peak hour emissions;
- Limit the length of the construction work-day period, if necessary; and,
- Phase construction activities, if appropriate.

**APCD-6: Standard NOx Control Measures for Construction Equipment**

The standard construction equipment mitigation measures for reducing nitrogen oxide (NOx) emissions are listed below and in section 6.3.1 of the Air Quality Handbook. **These measures are applicable to all projects where construction equipment will be used:**

- Maintain all construction equipment in proper tune according to manufacturer's specifications.
- Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- Maximize to the extent feasible, the use of on-road heavy-duty equipment and trucks that meet the ARB's 1998 or newer certification standard for on-road heavy-duty diesel engines.
- All on and off-road diesel equipment shall not be allowed to 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.

## **APCD 7 : OPERATIONAL PHASE MITIGATION**

### Greenhouse Gas Impacts and Mitigation

While California successfully passed Assembly Bill 32, California's Global Solutions Act of 2006, little guidance was provided to lead agencies regarding how to address greenhouse gas (GHG) impacts in the CEQA process. In the 2007 California legislative session, Senate Bill 97 was passed and required that the California Office of Planning and Research, by July 1, 2009, prepare and develop guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions as required by CEQA, including, but not limited to, effects associated with transportation or energy consumption. As guidelines are not currently available, the APCD suggests that projects subject to CEQA should quantify project related GHG emissions and identify feasible mitigation.

The APCD staff considered the operational impact of this proposed development by running the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. This indicated that operational phase impacts of the greenhouse gas known as carbon dioxide (CO2) will be approximately 19533 pounds per day in the summer and 18685 pounds per day in the winter. **While statewide/global thresholds have not yet been defined for GHG impacts, SLO County APCD recommends the implementation of feasible mitigation measures that minimize project related GHG impacts.** Examples of potential measures for this development include:

- Developments within Urban Reserve Lines with walking or bicycling access to nearby commercial and transit services thus reducing automobile dependence;
- Install on-site solar power infrastructure to offset grid-based power consumption.
- Provide low-speed neighborhood electric vehicles (NEVs) and charging stations for internal use by resort patrons.
- Replacing support equipment and vehicles that have internal combustion engines with their electric equivalents;
- Green building techniques such as:
  - Building positioning and engineering that eliminate or minimize the development's active heating and cooling needs;

- Planting of native, drought resistant landscaping;
- Use of locally or nearby produced building materials; and,
- Use of renewable or reclaimed building materials.

Other measures suitable for GHG as well as ozone precursor mitigation are listed below in this comment letter.

Operational Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Operational sources may require APCD permits. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Electrical generation plants or the use of standby generator;
- Food and beverage preparation (primarily coffee roasters);
- Dry cleaning; and,
- Boilers.

**To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.**

**APCD 8:** APCD staff has determined the operational impacts of this development by running the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. The results of the model using conservative County average trip distances demonstrated that the operational impacts will (likely exceed the APCD's CEQA **Tier II** significance threshold value of **25 lbs/day** for nitrogen oxides (NOx), reactive organic gases (ROG) and particulate matter (PM10) as shown below:

Season	Project Emissions by Pollutant (lbs/day)		
	ROG	NOx	PM10
Summer	28.90	37.24	31.54
Winter	32.30	47.13	31.52

**As a result of this estimated threshold exceedence, this project must implement all applicable Standard Mitigation Measures and at least 10 Additional Mitigation Measures listed below.** Should this project move forward, the APCD will consider the overall air quality impacts from this project to have been reduced to a level of insignificance with the implementation of these mitigation measures. Other measures may be proposed as replacements by contacting the APCD's Planning Division at 781-5912.

**Standard Measures (Include all standard mitigation measures marked below)**

- Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
- Provide on-site eating, refrigeration and food vending facilities to reduce employee lunchtime trips.
- Provide preferential carpool and vanpool parking spaces.
- Provide shower and locker facilities to encourage employees to bike and/or

- walk to work, typically one shower and three lockers for every 25 employees.
- Include easements or land dedications for bikeways and pedestrian walkways.
- Provide continuous sidewalks separated from the roadway by landscaping and on-street parking. Adequate lighting for sidewalks must be provided, along with crosswalks at intersections.

**Additional Measures (Include at least 10 of the following)**

Site Design Mitigation for this Project

- Increase street shade tree planting.
- Increase shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
- Provide on-site banking (ATM) and postal services.
- Provide on-site child care facilities for employees.
- Provide on-site housing for employees.
- Implement on-site circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment with designated walkways.
- Provide pedestrian signalization and signage to improve pedestrian safety.
- If the project is located on an established transit route, improve public transit accessibility by providing transit turnouts with direct pedestrian access to the project.
- Provide outdoor electrical outlets to encourage the use of electric appliances and tools.
- Increase number of bicycle routes/lanes.

Transportation Demand Mitigation

- If the project is located on an established transit route, improve public transit accessibility by providing a transit turnout with direct pedestrian access to the project or improve existing transit stop amenities.
- Provide incentives to employees to carpool/vanpool, take public transportation, telecommute, walk, bike, etc by implementing the Transportation Choices Program. The applicant should Contact SLO Regional Rideshare at 541-2277 to receive free consulting services on how to start and maintain a program.
- Provide Transportation Choices Program information centers on alternative transportation modes at the site (i.e. a transportation kiosk). Contact SLO Regional Rideshare for appropriate materials at 541-2277.
- Install electric vehicle charging stations.
- Employ or appoint an Employee Transportation Coordinator.
- Implement an APCD approved Trip Reduction Program.
- Provide for shuttle/mini bus service.
- Implement a lunch-time shuttle to reduce single occupant vehicle trips.
- Participate in an employee "flash pass" program, which provides free travel on transit buses.

Energy Efficiency Measures

- Shade tree planting along southern exposures of buildings to reduce summer cooling needs.



- Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs.
- Use built-in energy efficient appliances, where applicable.
- Use double-paned windows.
- Use low energy parking lot and street lights (e.g. sodium).
- Use energy efficient interior lighting.
- Use low energy traffic signals (e.g. light emitting diode).
- Install door sweeps or weather stripping if more energy efficient doors and windows are not available.
- Install high efficiency or gas space heating.
- Use high efficiency gas or solar water heaters.

Operational Permit Requirements:

If any of the following equipment is present at the site either during construction or in the operational phase of the project, Contact Gary Willey of the District's Engineering division at (805) 781-5912 for specific information regarding permitting requirements:

- Portable generators and equipment with engines that are 50hp or greater;
- Electric generation plants of the use of standby generator;
- Boilers; and
- IC Engines

To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering division at (805) 781-5912 for specific information regarding permitting requirements.

**BIOLOGICAL:**

Biological Resources Mitigation Measures

**BIO-1:** A Wetland Delineation was prepared for the project in June 2008 (see Attachment G). Of the four areas of the site evaluated for wetlands, two of the sites (sites 1 & 3) were determined to be a Federal and State Wetland. Since wetlands to occur on the project site, the following mitigation measures shall be applied:

- i. Permits must be obtained, as appropriate, from the California Department of Fish and Game (DFG Code 1603), the U.S. Army Corps of Engineers (Section 404 of the Clean Water Act), the Regional Water Quality Control Board (Section 401 of the Clean Water Act).
- ii. An on-site monitor will be required during construction activities in areas containing jurisdictional wetlands.
- iii. Any mitigation, monitoring, and reporting plan will be prepared and approved by the City and other jurisdictional agencies, as appropriate (i.e., California Department of Fish and Game, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board). Wetland mitigation will increase the aerial extent of wetland habitat on site at a two-to-one ratio (created wetland area to impacted wetland area).
- iv. Mitigation implementation and success will be monitored for a minimum of three years, depending on the jurisdictional agencies' requirements.

**BIO-2:** Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during breeding season from March 15 to August 15. If construction activities must be conducted during this period, nesting bird surveys shall take place within one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet nest until chicks are fledged. Construction activities shall observe a 300-foot buffer for occupied raptor nests. A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging or the buffer zone and make recommendations on additional monitoring requirements.

Oak tree impacts and mitigation requirements shall be compiled by the project Arborist. The following mitigation recommendations are modeled after guidelines set forth in the Paso Robles Tree Ordinances (City of Paso Robles – Ordinance No. 835 N.S.).

**BIO-3:** Tree canopies and trunks within 50-feet of proposed disturbance zones should be mapped and numbered by a qualified biologist and a licensed land surveyor. Data for each tree should include date, species, number of stems, diameter at breast height (dbh) of each stem, critical root zone (CRZ) diameter, canopy diameter, tree height, health, habitat notes, and nests observed. – Completed 2005, See Arborist Report by A&T Arborists along with plan by NCE, Attachment F).

**BIO-4:** An oak tree protection plan shall be prepared and approved by the City of Paso Robles.

**BIO-5:** Impacts to the oak canopy or critical root zone (CRZ) should be avoided where practicable. Impacts include pruning, an ground disturbance within the dripline or CRZ of the tree (whichever is greater), and trunk damage. The current plans shows encroachments into trees No. 1, 59, 49 and 48 show encroachments into the CRZ for footings of casitas buildings. The project needs to be redesigned so that there is not encroachment into the CRZ of any oaks.

**BIO-6:** Impacted oaks shall be mitigated for by planting one 24-inch boxed tree for impacts up to 25-percent of the root zone or canopy. Two 24-inch boxed trees shall be planted for trees within impacts of 50-percent of the tree, and so on. The mitigation trees shall be incorporated into the landscape plan.

**BIO-7:** Replacement oaks for removed trees must be an equivalent to 25-percent of the diameter of the remove tree(s). For example, the replacement requirement for removal of two trees of 15 inches dbh (30 total diameter inches), would be 7.5 inches (30-inches removed x 0.25 replacement factor). The requirement could be satisfied by planting five 1.5-inch trees, or three 2.5-inch trees, or any other combination totaling 7.5-inches. A minimum of two 24-inch box, 1.5-inch trees shall be required for each oak tree removed.

**BIO-8:** Replacement trees should be seasonally maintained (browse protection, weed reduction, and irrigation, as needed) and monitored annually for at least 7 years.

**BIO-9:** An Arborist Report was prepared by A&T Arborists for this project (see Attachment \_\_\_). The report indicates that all trees will be preserved on this site except for Trees No. 18 & 19, which are trees that are in poor condition and are needed to be removed in order to allow for the road improvements to Airport Road. The request to remove these two trees will need to go forward to the City Council. In the event that the Council does not approve the removal of the two trees, they will need to be preserved in accordance with the Oak Tree Ordinance.

**BIO-10:** Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of El Paso de Robles, Community Development, Planning Division that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of **51** acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.) requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total **\$127,500**. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase **51** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total **\$127,500**. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be

completed prior to County permit issuance and initiation of any ground disturbing activities.

**BIO-11: Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:

- i. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist 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.
- ii. **The qualified biologist shall conduct weekly site visits during site-disturbance activities** (i.e. grading, disking, excavation, stockpiling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-14 through BR-23. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-14iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.
- iii. **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 biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFG 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, work shall stop until such time the USFWS determines 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 USFWS. 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.

- iv. **In addition**, the qualified biologist 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:
    - Potential kit fox den: 50 feet
    - Known or active kit fox den: 100 feet
    - 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 by a qualified biologist shall be required during ground disturbing activities.

**BIO-12: Prior to issuance of grading and/or construction permits,** the applicant shall clearly delineate the following as a note on the project plans: “Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox”. Speed limit signs shall be installed on the project site **within 30 days prior to initiation of site disturbance and/or construction.**

**BIO-13: 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.

**BIO-14: Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction,** all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox’s life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

**BIO-15: During the site-disturbance and/or construction phase,** to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and 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 biologist and allowed to escape unimpeded.

**BIO-16: 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. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped

**BIO-17: During the site-disturbance and/or construction phase,** all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

**BIO-18: 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.

**BIO-19: 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 applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFG by telephone. 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 CDFG for care, analysis, or disposition.

**BIO-20: Prior to final inspection, or occupancy, whichever comes first,** should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

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

Monitoring (San Joaquin Kit Fox Measures BR-10 to BR-20): Compliance will be verified by the City of Paso Robles, Planning Division in consultation with the California Department of Fish and Game. As applicable, each of these measures shall be included on the construction plans.

#### American badger

American badger could occur in the project areas. The project will result in a net loss of badger habitat. Mitigation is not required for loss of badger habitat. To ensure take of live badgers does not occur, the following mitigation recommendation shall be implemented:

**BIO-21: A pre-construction survey shall be conducted within thirty days of beginning work on the project** to identify if badgers are using the site. The results of the survey shall be sent to the project manager, CDFG, and the City of El Paso de Robles.

If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property, and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens on the property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1 and February 1 all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the

property during the pre-construction survey, the CDFG wildlife biologist for the area shall be contacted to review current allowable management practices.

**BIO-22:** Prior to removal of any trees over 20-inches dbh, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming may harbor sensitive bat species or maternal bat colonies. Maternal bat colonies may not be disturbed.

**BIO-23:** All occupied nests shall be mapped using GPS or survey equipment. The mapped locations shall be placed on a copy of the grading plans with a 300-foot buffer indicated. Work shall not be allowed within the 300 foot buffer while the nest is in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas. The project biologist may use discretion to reduce or increase the buffer distance based on the sensitivity level of the nest adjacent work.

**BIO-24:** Occupied nests of special status bird species that are within 300-feet of project work areas shall be monitored bi-monthly through the nesting season to document nest success and check for project compliance with buffer zones. Once nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work can commence.

**BIO-25:** Prior to the issuance of grading and/or construction permit(s), if work is expected to impact seasonal ponds on the property, a biologist qualified to conduct surveys for sensitive fairy shrimp species according to USFWS protocols shall conduct a fairy shrimp habitat assessment to determine the potential for fairy shrimp to occur on site. If potential habitat is present, a protocol survey shall be conducted. If vernal pool fairy shrimp (*branchinecta lynchi*) are discovered, consultation with the USFWS must occur.

**HAZARDS:**

H-1 – Airport and Aircraft Safety: Development of any new land use on the project site shall not create an undue public safety risk from overflight of aircraft. The eastern portion of project site is in Airport Safety Zone 3 for turning and sideline zones and the western portion is Safety Zone 4 for outer approach and departure zones. All development plan, proposed use, or subdivision on the project site is subject to the nonresidential land use densities and open space requirements as provided in Chapter 4 of the Paso Robles ALUP which are excerpted below (Table 5, ALUP, 2007).

Handley Property Airport Safety Areas	Maximum Land Use Density (persons/acre)	Maximum Single Acre Land Use Density (persons/acre)	Maximum Percent Open Space (% gross area)
Safety Zone 2	20	40	30 <sup>1</sup>
Safety Zone 3	60	120	25 <sup>2</sup>
Safety Zone 4	40	120	20 <sup>2</sup>

<sup>1</sup> No structures, congregations of equipment or vehicles, or public venues shall be located within 250 feet of any extended runway centerline and within 6000 feet of the corresponding runway end.

<sup>2</sup>When feasible, development should be planned in a manner that maintains maximum open space within 50 feet of any extended runway centerline.

**H-2 - Airspace Protection:** No object or structure may be erected, and no plant allowed to grow, to penetrate any “imaginary surface” as defined in Federal Aviation Regulations Part 77.

Any proposed feature approaching these surfaces will be referred to the airport manager for review and recommendation. Building within the height limits of this specific plan will not approach the FAA imaginary surfaces.

**H-3 - Operations Interference:** No use shall be established which produces visually significant quantities of smoke.

**H-4 - Bird Attractants:** No use shall be established and no activity conducted which attracts birds to the extent of creating a significant hazard of bird strikes. Examples are outdoor storage or disposal of food or grain, or large, artificial water features. This provision is not intended to prevent enhancement or protection of existing wetlands, the mitigation of impacts to wetlands or construction of required detention basins.

**H-5 Avigation Easements:** At the time of subdivision development, avigation easements shall be recorded for each affected parcel in a form approved by the County of San Luis Obispo Airport Land Use Commission.

**H-6 Real Estate Disclosure:** All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport area. The format of the disclosure shall be approved by the County of San Luis Obispo Airport Land Use Commission.

## **NOISE**

**N-1:** Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with a muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the study area without said muffler.

**N-2:** All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.

**N-3:** Whenever feasible, electrical power shall be used to run air compressors and similar power tools.

**N-4:** Construction activity for site preparation and for future development shall be limited to the hours between 7:00 AM and 7:00 PM, Monday through Friday and Saturday 8:00 AM to 6:00 PM. No construction shall occur on Sundays or State holidays (i.e. Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours.

**N-5:** For all construction activity on the project site, noise attenuation techniques shall be employed as needed to ensure that noise remains below 65 dBA at nearby residences. Such techniques may include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and affected uses.

**N-6:** Provide notification to home occupants adjacent to the study area at least 24 hours prior to initiation of construction activities that could significantly affect outdoor or



indoor living areas. This notification shall include the anticipated hours and duration of construction and a description of noise reduction measures.

- N-7: The applicant shall provide a telephone number for local residents to call to submit complaints associated with construction noise. The number shall be posted along the Airport Road portion of the site and shall be easily viewed from adjacent public areas.

#### **Exterior Noise Attenuation**

- N-8: Structures located within unacceptable noise contours shall provide attenuation of exterior usable area noise levels to below 65 dBA CNEL. This can be accomplished using one or more of the following methods:
- N-9: A structural setback from the roadways that generate the unacceptable noise levels;
- N-10: Installation of vegetated berms, in combination with structural setbacks from the roadways that generate the unacceptable noise levels;
- N-11: Locate exterior usable areas that border sources of unacceptable noise levels within an interior courtyard.

#### **Interior Noise Attenuation**

- N-12: The walls, doors and windows of units or buildings that face Airport Road shall be constructed to include sufficient noise attenuation to reduce interior levels to a CNEL of 45 dBA. This would require at a minimum the use of double-paned windows on all floors for those windows that face Airport Road.
- N-13: Windows should have a minimum Standard Transmission Class (STC) of 35 and be properly installed, weather-stripped, and insulated.
- N-14: Doors with a minimum STC of 35 should be used for doorways facing Airport Road and should be insulated in conformance with California Title 24 requirements.
- N-15: The exterior wall facing material shall be stucco and/or shall be designed for a minimum STC of 45.
- N-16: Roof or attic vents facing Airport Road should be baffled.
- N-17: Air conditioning or a mechanical ventilation system should be included in development plans so that windows and doors may remain closed to reduce interior noise to the extent possible.

RESOLUTION NO.:

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
APPROVING PLANNED DEVELOPMENT 08-002  
(DESTINO PASO - HANDLEY)  
APN: 025-436-029 & 030

WHEREAS, Planned Development 08-002 has been filed by North Coast Engineering on behalf of Jerry and Katherine Handley for the construction of a resort project consisting of two 50-room hotels, one 16-room “Boutique Hotel” and 175 casitas units totaling 291 rooms, also including accessory uses such as restaurant, spa, conference center, trails, pools, parking lots and other accessory uses; and

WHEREAS, the project is located at 3340 & 3350 Airport Road; and

WHEREAS, the approximate 40-acre site has a General Plan Land Use designation of Parks and Open Space with Resort Lodging Overlay (POS-R/L); and

WHEREAS, the Zoning designation is also Parks and Open Space with Resort Lodging Overlay (POS-R/L); and

WHEREAS, the site is located within the Airport Overlay area as indicated on the General Plan Land Use map, and portions of the site are located within Airport Safety Zones 2, 3 & 4; and

WHEREAS, Section 21.18B, Resort Lodging Overlay District, a resort/hotel with ancillary land uses may be approved by the Planning Commission through the development plan (PD) process; and

WHEREAS, according to Table 21.16.200, Permitted Use Table, transient lodging, including hotels and motels are permitted in the POS zoning district with the approval of a Conditional Use Permit (CUP) by the Planning Commission; and

WHEREAS, the applicants have submitted an application for CUP 08-002; and

WHEREAS, an Initial Study was prepared for this project in accordance with the California Environmental Quality Act (CEQA) and a Mitigated Negative Declaration was approved by the Planning Commission on February 10, 2009 by separate resolution, and

WHEREAS, at its February 10, 2009 meeting, the Planning Commission held a duly noticed public hearing on the Project, to accept public testimony on the proposal including Planned Development 08-002 and related applications; and

WHEREAS, based upon the facts and analysis presented in the staff report and the attachments thereto, the public testimony received, and subject to the Conditions of Approval listed below, the Planning Commission makes the following findings:

1. The proposed Project will not be detrimental to the City’s efforts to revitalize Downtown Paso Robles since this Project will provide an end-destination resort project that would provide lodging for people that would utilize downtown business;
2. The proposed Planned Development is consistent with the purpose, intent and regulations set forth in Chapter 21.16A (Planned Development Overlay District Regulations) as follows:
  - A. The granting of the Planned Development (PD) will not adversely affect the policies, spirit and intent of the General Plan, applicable specific plans, the zoning code, and other adopted codes, policies and plans of the City. Rather, based on resort lodging projects being permitted in the POS zone, encouraged in the POS land use designation, and the intent of the Resort Lodging Overlay district, the project supports City policies.
  - B. The Project maintains and enhances the significant natural resources on the site. As indicated in environmental review of the project and with the required environmental mitigation measures for the project, the development of this project will not significantly impact the natural resources on this site.
  - C. The Project is designed to be sensitive to, and blend in with, the character of the site and surrounding area. The architectural plans have been reviewed by the Development Review Committee (DRC) and ultimately the Planning Commission, where it has been determined that the proposed project as designed (and conditioned) will be compatible with the character of the site and surrounding area.
  - D. The Project is consistent with the purpose and intent of the Planned Development Chapter of the Zoning Ordinance, and the Project is not contrary to the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 08-002, subject to the following conditions:

**PLANNING CONDITIONS:**

1. This Development Plan for PD 08-002, allows for the approval of the Master Plan allowing development and operation of a resort facility containing a total of 116 hotel rooms and 172 casitas rooms (total 288 units), a restaurant, spa facility and other ancillary uses. The project will be phased as follows:

- |                   |   |
|-------------------|---|
| <u>Phase I:</u>   | 15 casitas units;<br>1,000 sf office & housekeeping;<br>4,000 sf conference area;<br>5,000 sf recreation building (pool & pool house) |
| <u>Phase II:</u>  | 86 casitas units  |
| <u>Phase III:</u> | 3,000 sf spa building   |
| <u>Phase IV:</u>  | 5,700 sf restaurant   |
| <u>Phase V:</u>   | 50 room Hotel   |

- Phase VI: 16 room boutique hotel  
Phase VII: 46 casitas units  
Phase VIII: 50 room hotel  
Phase VIII: 24 casitas units

**Note: request to change any of the above noted phasing will require the approval of the Development Review Committee (DRC).**

2. The project shall be constructed in substantial conformance with the Conditions of Approval established by this Resolution and it shall be constructed in substantial conformance with the following Exhibits:

EXHIBIT DESCRIPTION

- A Destino Paso Design Guidelines  
B Application Guide for Major Development

3. This project approval shall expire on February 10, 2011 unless a time extension request is filed with the Community Development Department prior to expiration.
4. Prior to issuance of a Building Permit for each individual phase, the applicant shall apply for a Major Site Plan Review where the following information will need to be provided for review and approval by the Development Review Committee. The Site Plan submittal shall include but not be limited to the following items:
  - a. Site Plan (see application guide for requirements for a site plan)
  - b. Architectural elevations
  - c. Landscaping and Irrigation Plan
  - d. Grading and Drainage Plan
  - e. Color and Materials Board
  - f. Fencing Plans
  - g. Exterior Light Cut-Sheets
5. All trash enclosures shall be constructed of decorative masonry block compatible with the main buildings. Gates shall be view obscuring and constructed of durable materials such as painted metal or chain link with plastic slatting. All trash enclosures will also need to be designed to provide for recycling containers.
6. All existing and/or new ground-mounted appurtenances such as air-conditioning condensers, electrical transformers, backflow devices etc., shall be screened from public view through the use of decorative walls and/or landscaping subject to approval by the Community Development Director or his designee. Details shall be included in the building plans.
7. All existing and/or new roof appurtenances such as air-conditioning units, grease hoods, etc. shall be screened from public view. The screening shall be architecturally integrated with the building design and constructed of compatible materials to the satisfaction of the DRC. Details shall be included in the building plans.

8. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and shall be subject to approval by the Community Development Director or his designee.
9. All existing and/or new landscaping shall be installed with automatic irrigation systems.
10. All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block.
11. In the future, when a City bus route is established on Airport Road a City Standard bus stop shelter shall be installed at the cost of the developer/property owner. The exact placement of the bus stop shall be approved by the City prior to installation.
12. Prior to the issuance of a grading permit, the applicant/developer shall apply for both a Construction Stormwater General Permit and Section 401 Water Quality Certification, as necessary.

#### **Engineering Site Specific Conditions**

13. Hydro-modification mitigation shall be provided in accordance with the City's storm water management ordinance at the time of development. Low Impact Development Best Management Practices shall be incorporated into the project grading plans in accordance with City standards at the time of permitting.
14. The project will be subject to traffic impact and other development impact fees in effect at the time of occupancy of the project. Traffic mitigation will include the deposit of \$1,600,000 towards construction of a bridge over the Huer Huero proportionally applied to the incremental development of the project. When transportation impact fees are updated by council action, the final fee obligation shall be equal to that defined by the new fee structure.
15. Prior to occupancy of Phase One improvements, Airport Road shall be constructed in general conformance to the preliminary plans. Further improvements extending to the southerly boundary should be reviewed for feasibility and if feasible, shall be constructed in accordance with plans approved by the City Engineer with the second phase of the project. (Airport Road improvements are currently included in the AB 1600 transportation needs list and are therefore subject to reimbursement from that fund).
16. Prior to occupancy of Phase One improvements, sanitary sewer shall be provided to the project in accordance with plans approved by the City Engineer. Subject to council action and agreements on file with the City, the developer shall be entitled to reimbursements for the design and construction of the public sewer line. The City will provide or acquire all property and easements necessary for construction of the sewer line.

17. Prior to occupancy of Phase One improvements, all overhead utility lines adjacent to and currently serving the site, shall be relocated underground.

**Emergency Services Conditions**

18. Prior to the start of construction, documentation shall be submitted to Emergency Services showing that required fire flows can be provided to meet all project demands.

19. Provide fire hydrants at not greater than five hundred (500) foot intervals.

20. Provide central station monitored fire sprinkler system for all buildings greater than five thousand (5,000) square feet.

21. Provide fire department connection to the fire sprinkler system on the address side of the building for all buildings with fire sprinklers.

22. Provide Knox Box fire department rapid entry device on address side of the building of all buildings that will be accessed by the public and/or that have fire sprinkler systems.

PASSED AND ADOPTED THIS 10<sup>th</sup> day of February, 2009 by the following Roll Call Vote:

AYES:

NOES:

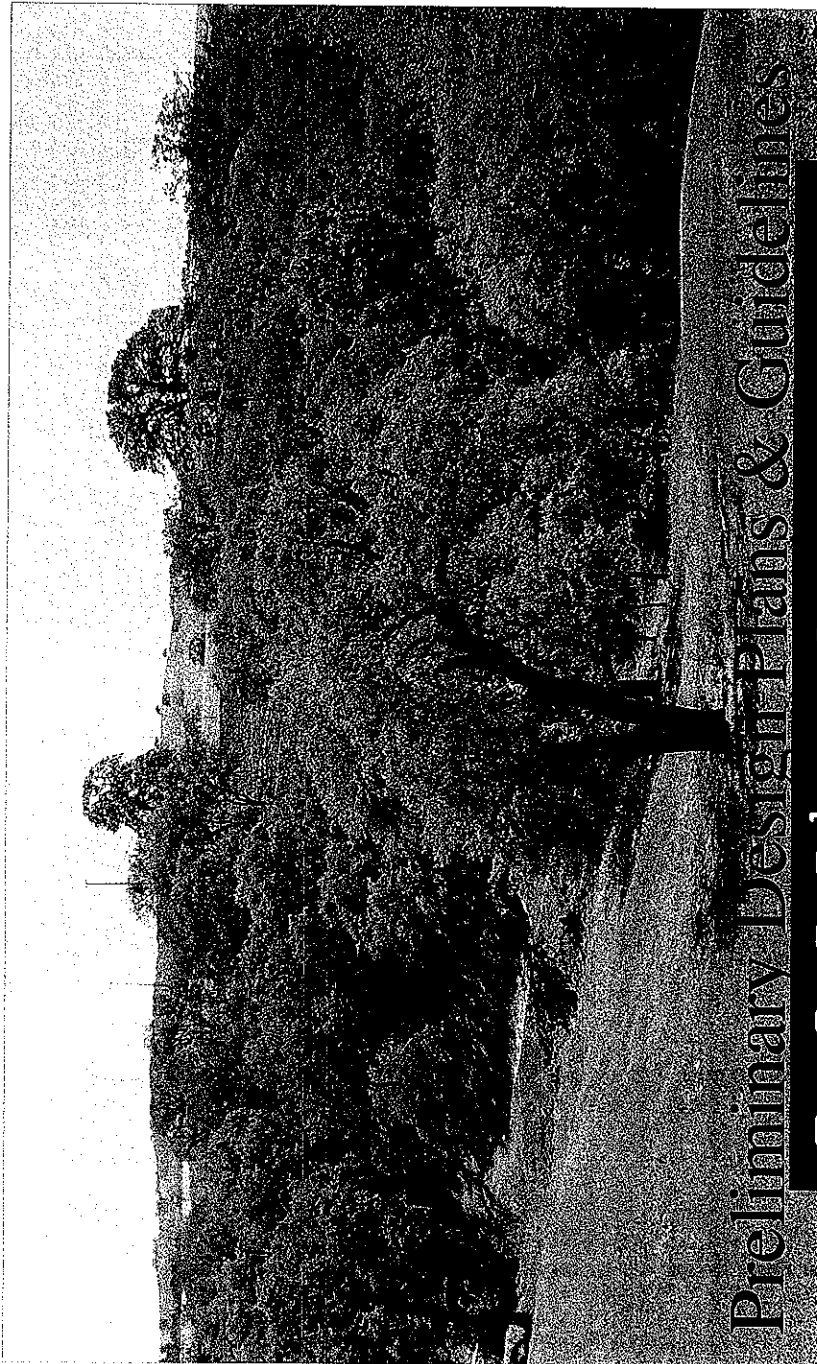
ABSENT:

ABSTAIN:

\_\_\_\_\_  
CHAIRMAN CHARLES TREATCH

ATTEST:

\_\_\_\_\_  
RON WHISENAND, PLANNING COMMISSION SECRETARY



# DESTINO PASO



**Exhibit A**  
Design Guidelines  
PD 08-002, CUP 08-002, Tract 2962  
(Destino Paso - Handley)

# Destino Paso Preliminary Design Plans & Guidelines

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# DESTINO PASO

## A DESTINATION RESORT FOR PASO ROBLES

June 13, 2008

### Introduction

Destino Paso is envisioned to be a destination resort to provide recreational opportunities, dining facilities, conference facilities, wellness opportunities, extensive open space, and a range of accommodation opportunities to serve the growing tourist market for the City of El Paso de Robles. The City of Paso Robles has made destination tourism one of its primary goals, and this proposed resort provides amenities and attractions to complement the range of services and attractions that have been envisioned in the City's Economic Strategy and confirmed in the San Luis Obispo County Economic Forecast.

### Project Description

Destino Paso will provide a wide range of accommodations ranging from small intimate casitas, boutique hotel rooms, and traditional hotel rooms. All the accommodations are intended to be for transient occupancy with a maximum stay of 30 days. The accommodations proposed for the project falls into three categories.

### Accommodations

- Casitas  
Two main areas of clustered casitas are proposed, each with a recreation center with a swimming pool and spa. Additional casitas are located to complement the Conference Center/Poolside Pavilion. The casitas are comprised of a combination of single-story duplex units and two-story fourplex units. All the casitas have patios and/or decks and are arranged in clusters to provide a community feel yet provide individual private spaces for the guests. Many of the casitas provide tremendous views of the surrounding vineyards and on-site open space, and provide ready access to the on-site recreational facilities, as well as on-site trails and open space.

- Boutique Hotel

A boutique hotel consisting of 16 rooms is proposed to be located at the southwestern portion of the property overlooking the existing lake. It is envisioned that this site could provide superior, private accommodations for small groups, weddings, family reunions, and corporate retreats. The boutique hotel will have a large lawn and gathering area, as well as a large patio to provide a serene environment for private weddings and small functions. Ample parking, as well as overflow parking, is accommodated on the site.

- Hotel

Two hotels of 50 rooms each are proposed to be constructed next to the proposed restaurant on the northwest corner of the property. The two hotels would be two-stories and would be of a conventional hotel format with internal courtyards, pools, on-site retail facilities, and recreational facilities.

### Resort Amenities

- Spa  
A full featured spa is proposed in the upper area of the resort. With magnificent views of the oak woodland and surrounding vineyards the spa will be the center of wellness and relaxation. Located on its own parcel, it is intended that the spa will be operated by a specialized operator. Services envisioned are massage, aromatherapy, skin care, facial and body therapies, and hair and scalp treatments.
  - Restaurant  
Destino Paso proposes a 5,700 sq. ft. restaurant located at the entrance of the project at the northwest corner of the property. This restaurant is designed to be a sit-down restaurant, which will accommodate diners not only from within the project, but would anticipate a number of visitors from the area participating in the dining experience. The restaurant will have views overlooking the Huer Huero Creek, would be in close proximity to the two proposed hotels, and would be readily accessible from all of the other accommodations proposed for the site.
  - Recreation Center  
A recreation center with a pool, spa, office, kitchen, restrooms, pavilion, and shaded veranda area is proposed for the first phase of the project. It is intended to provide recreation and wellness amenities for the visitors to the resort.
  - Poolside Event Pavilion  
The existing warehouse on the project is intended to be completely remodeled and converted to a conference and event center. Because of the size and nature of the building, considerable flexibility is attainable for use for conferences, training sessions, small parties and weddings. The proximity to the recreation center provides opportunities for additional flexibility.
- ### Design Approach
- Low Impact Development  
Numerous techniques for Low Impact Development (LID) are proposed for the project. In particular, there are many areas proposed for biofiltration to capture and clean storm and irrigation

water before percolating into the ground or releasing from the site. Stormwater in many cases is routed through a series of biofiltration systems to further enhance cleansing abilities. A large area located near Airport Road, designated as a passive recreational area serves as a significant biofiltration area as well as a sediment trap to capture and treat stormwater pollutants on site. Additional biofiltration areas are proposed for the medians of Airport Road to capture and treat stormwater flowing off the paved surface of the road. Hard surfaces are minimized to reduce runoff and permeable paving is anticipated in appropriate areas.

Design measures have been incorporated into the buildings to provide solar efficiency for both heating and cooling.

- **Open Space/Trail System**

The project contains extensive areas of open space. Over half of the site or approximately 22 acres is to remain open space. This area includes oak woodlands with existing trails which would be improved. A blue-line stream feeds an existing lake. The open space provides serene recreational areas as well as acting as a buffer for the onsite buildings as well as the surrounding uses.

- **Circulation Improvements and Approach**

The project proposes improvements to Airport Road, widening, adding bike lanes, sidewalks and walking paths. The design proposed has been done in consultation with the City Engineer and reflects the current thinking on pavement reduction and rural style road design. A median is proposed in the middle of the roadway and is intended to be used as a biofiltration area to help cleanse the runoff from the asphalt and concrete surfaces. Both right turn and left turn pockets, as well as acceleration lanes are proposed for safe access to and from the resort. The walking path on the west side of Airport Road provides access to the Ravine Water Park.

A city standard road (Beijo Way) is proposed through the resort to connect to the property to the east. A 60' wide Offer of Dedication to the City is proposed. All other roads and drives on the site are private and will be maintained by the owner.

A city standard transit stop with a shelter is proposed on Airport Road to provide access to and from the resort for both public transport, as well as other forms of private transit such as wine tours. On site transport will be provided by golf carts. These carts will be driven by resort staff and will provide convenient transportation within the site for those who choose not to walk or are in need of assistance.

It is intended to work with the Ravine Water Park, local wineries, downtown businesses, shopping centers, golf courses, and other local attractions to provide a shuttle service to connect these uses and reduce motor vehicle traffic.

- **Project Utilities**

The project site has access to City water through an existing 12" water line in Airport Road and a 12" waterline recently constructed in Beijo Way. Water is intended to be looped in the main sections of the project and it is intended that these water mains on site be built to city standards and be in a public water easement.

Wastewater is proposed to be handled by an onsite septic system in the first two phases, consistent with other projects in the immediate area. The septic system will be abandoned and removed as soon as public sewer is available in Airport Road. Phase three of the project will not be constructed until the public sewer is available. It is anticipated that this project will contribute its fair share to the construction costs of this regional improvement.

#### Existing Property Description

The proposed site of Destino Paso is located on Airport Road immediately north of the Wine Country R.V. Park. It is comprised of 40.3 acres and consists of several large, flat mesa areas and a significant large oak filled ravine, a lake, an existing home and outbuildings. The property is partially bounded on the west by Airport Road and access to the project is proposed by a new public street called "Beijo Way", which would connect at Airport Road and proceed easterly and connect to an existing property owned by William and Kenneth Mundee. There are numerous oak trees on site, all of which are proposed to be protected and preserved with the exception of the trees necessary for the widening of Airport Road to meet City standards.

The current General Plan designation for the property is Parks and Open Space, and the current zoning of the property is Parks and Open Space with a Resort and Airport Overlay. The proposed uses are consistent with those zones.

The property is well situated for a destination resort being in very close proximity to the following tourist serving facilities:

- The Ravine Water Park
- Firestone Winery
- Eberle Winery
- Hunter Ranch Golf Course

- Barney Schwartz Park
- Robert Hall Winery
- Vina Robles Winery
- Airport Business Park
- Vacuero Resort

The project is also located a short distance from Highway 46 on Airport Road which is designated as an arterial road. It provides easy access from Highway 46, as well as the Paso Robles Airport.

**Design Approach**

The design of Destino Paso was a collaborative effort of North Coast Engineering, firma Landscape Architecture, and Steven Puglisi Architects. A design charrette was held with the project team utilizing topographic mappings, oak tree mapping, and design information to collaboratively produce an initial site plan. The goals of the initial design process were:

- Develop a resort community sensitive to the existing land form.
- Provide a mixture of accommodations, recreational opportunities, culinary opportunities, and conference opportunities.
- Conform to the Airport Land Use Safety Zone restrictions.
- Provide for circulation improvements.
- Incorporate low impact development techniques such as biofiltration and minimization of impermeable surfaces.
- Develop a resort with a comfortable community feel.
- Provide for internal pedestrian and bicycle circulation.
- Provide for internal and external transportation opportunities, providing access not only within the site but connecting to existing tourist destinations.
- Structure the phasing of the project such that impacts could be mitigated as the project develops.

**Airport Land Use Compatibility**

The proposed Destino Paso is located within the Airport Influence Area, specifically in Safety Zones 2, 3, and 4. No buildings are proposed within Safety Zone 2. In Safety Zones 3 and 4, buildings have been clustered in compliance with the policies of the Airport Land Use Plan.

**Resort Operator**

It is the intent of the owners, and the advice of the various consultants to the project, to keep the entirety of the property under the control of one developer-resort operator. The “parceling” of the site is expressly

for the purpose of facilitating the development and financing of the property in phases and in accordance with the restrictions in place on the various airport safety zones located within the site.

The approval to record an air-space condominium map, allowing for separate ownership of each Casita, is intended to facilitate the financing of the project not to promote full or part-time occupancy by the unit owners. Each Casita would be sold to an investor, most likely one motivated by a 1031 tax deferred exchange, who would be restricted from more than 30 days per year of personal usage of his unit. Each sold unit would be subject to a mandatory placement of the unit into a rental pool controlled by the resort operator. Owners of the Casitas are entitled to their pro-rata share of the net operating income generated from the pool of Casitas/guest room units. The marketing of the Casitas as pooled revenue/mandatory rental pool participation is done in strict compliance with securities and real estate law that governs such transactions.

**Market Demand**

Among those contracted to assist in the development of this resort are two of the most highly regarded Consulting firms in the resort industry. Redwood Capital Advisors and PKF Consulting, it is clear from the analysis that there is clearly the support, environment and demand for a resort as proposed. It in effect bridges a gap between existing lower quality motels and the small, but very high end bed and breakfast accommodations currently offered in the area.

**Community Financial Benefits**

The construction of the resort will greatly increase the assessed value of the property. It is estimated that the construction cost of the resort is approximately \$45,000,000. The resulting increase in property tax will benefit the community.

The most significant benefit to the City’s General Fund will be in the form of Transient Occupancy Taxes collected from the resort.

- Estimated average room rents will be \$225 per night with 4% to 7% increase per year.
- At 60% occupancy the resort will generate approximately \$1,400,000 a year in additional revenue to the City.
- It is also estimated that millions of dollars will be spent each year by tourists in the local area.

**DESTINO PASO  
OWNERSHIP AND MANAGEMENT STRUCTURE**

The 40-acre property that will be Destino Paso is currently owned by Jerry and Kathie Handley. The Destino Paso Resort is designed to satisfy the goals and requirements of the City of Paso Robles General Plan and Land Use Ordinance as well as the Airport Land Use Plan. The development of this project will be consistent with the Planned Development currently under review. A Parcel Map, Condominium Map and Conditions, Covenants and Restrictions (CC&R's) will be recorded to guarantee that the development occurs in the way it was originally intended.

The Handleys are looking to joint venture with a large developer/investor to construct the project. Together, the Handleys and the large developer/investor will make up the Master Developer (MD). The Master Developer entity will maintain control over the development of the entire resort. The MD will own all of the parcels created by the parcel map and will develop the project as the market permits.

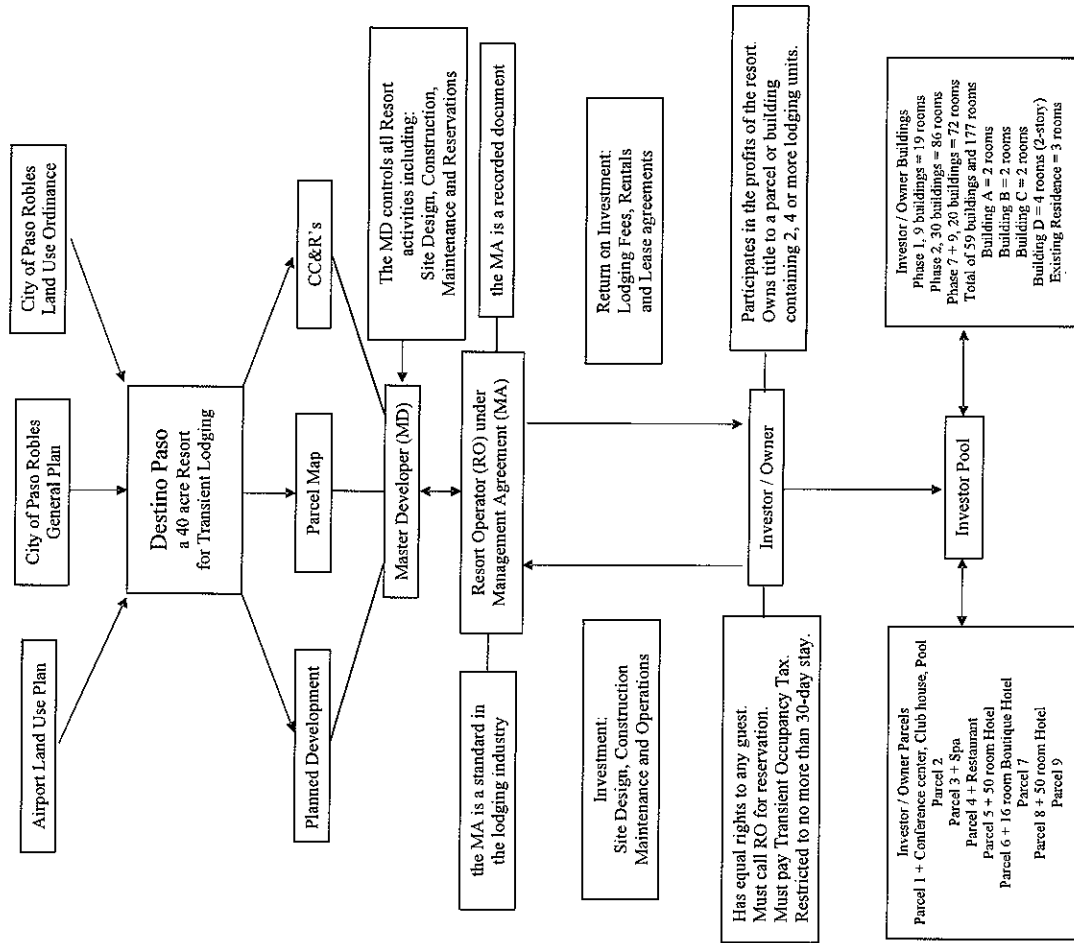
The Master Developer will select and enter into a contractual agreement with a Resort Operator (RO). The Management Agreement will outline the duties and restrictions of the RO. Duties will include resort operations and maintenance and management of the investor pool. The Management Agreement is a recorded document that binds the Master Developer to the Resort Operator.

To sustain the development of the resort, additional interested investors may purchase title ownership of a parcel or a visitor lodging building. The management and ownership flow chart to the right lists the different ownership opportunities to the right and left of the "Investor Pool" box. The investor pool will fund the development of the resort. This would include, but is not limited to: site design, construction, maintenance and operations. In exchange for their investments, the investors will receive profits in proportion to their investment. Returns are generated through lodging fees, rentals and lease agreements.

When an interested party chooses to invest in the resort, they are required to enter into a Unit-Owners Association Master Lease Agreement. The agreement is a recorded document that outlines an investor's occupancy rights. An investor does not have any greater rights to occupancy than a non-investor. They do not have keys to the visitor lodging unit that they invested in and are not guaranteed a reservation in their unit. An investor has no right to refurbish, rearrange or alter in any way any part of their unit.

To make arrangements to stay at the resort, the investor would call the Resort Operator to request a reservation in the same way that a non-investor would. If their requested unit is available, then they are able to stay there. If not, they may choose to stay in another available unit or select a different time to stay. Lodging for any guest (investor or non-investor) is limited to no more than 30 consecutive days. During their stay, investor guests are required to pay all applicable transient occupancy taxes and any other government imposed assessments, housekeeping charges and any incidental charges.

An investor maintains possession of their real property title until they choose to sell. Until that time, they receive the returns on their investment.



DEVELOPMENT PLAN  
FOR  
**DESTINO PASO**

**SITE STATISTICS - OVERVIEW**

TOTAL GROSS AREA 40.3 ACRES  
NET AREA 30.0 ACRES  
OPEN SPACE 22 ACRES

**RECORD OWNER:**

JERRY AND KATHERINE HADLEY  
P.O. BOX 1811  
PASO ROBLES, CA 93446

**APPLICANT**

JERRY AND KATHERINE HADLEY  
P.O. BOX 1811  
PASO ROBLES, CA 93446

**ENGINEER**

NORTH COAST ENGINEERING, INC.  
725 CRESTON RD., STE. B.  
PASO ROBLES, CA 93446  
TEL: (805) 738-1100  
FAX: (805) 738-1101  
EXP. 630005

**A.P.N.**

026-438-029 & 030

**EXISTING USE**

VACANT/LAS

**EXISTING GENERAL PLAN DESIGNATION**

POB

**EXISTING ZONING**

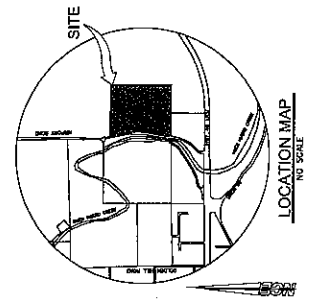
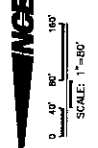
POB

**PROPOSED USE**

RESORT

**SHEET INDEX**

- 1. COVER SHEET
- 2. VESTING TENTATIVE MAP
- 3. SITE AND PHASING PLAN
- 4. PRELIMINARY GRADING & DRAINAGE PLAN - WEST
- 5. PRELIMINARY GRADING & DRAINAGE PLAN - EAST
- 6. PRELIMINARY UNDERGROUND PLAN - WEST
- 7. PRELIMINARY UNDERGROUND PLAN - EAST
- 8. SITE CROSS SECTIONS



SHEET OF 8

NORTH COAST ENGINEERS INC. copyright © 2003

**SITE STATISTICS - OVERVIEW**  
 TOTAL GROSS AREA 48.33 ACRES  
 NET AREA 38.02 ACRES

**RECORD OWNER**  
 JERRY AND KATHERINE HANDLEY  
 P.O. BOX 1011  
 PASO ROBLES, CA 93446

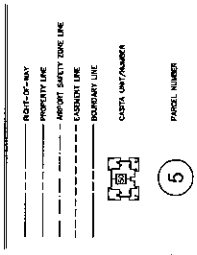
**APPLICANT**  
 JERRY AND KATHERINE HANDLEY  
 PASO ROBLES, CA 93446

**ENGINEER**  
 NORTH COAST ENGINEERING, INC.  
 725 CRESTON RD., SUITE B,  
 PASO ROBLES, CA 93446  
 R.C.E. 4482  
 EXP. 05/31/20

**A.P.N.**  
 025-436-028 & 030

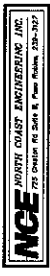
**EXISTING USE** VACANT/AG  
**EXISTING GENERAL PLAN DESIGNATION** RGS  
**EXISTING ZONING** RGS  
**PROPOSED USE** RESORT

**LEGEND**

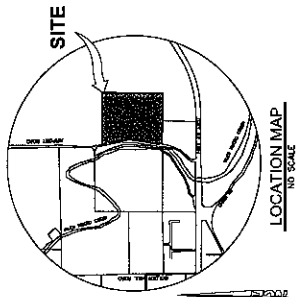
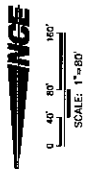
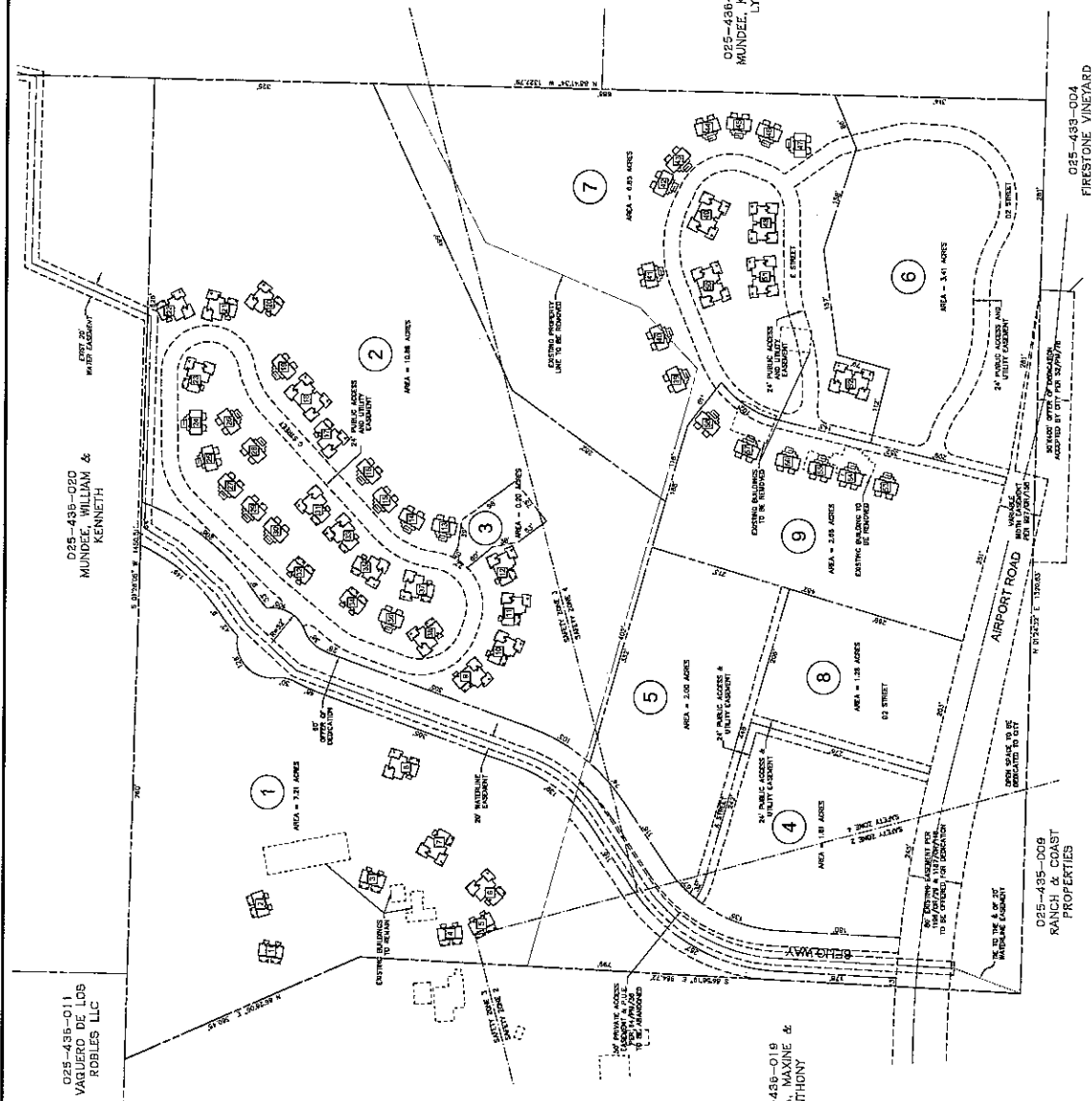


**DESTINO PASO VESTING TENTATIVE TRACT MAP TRACT 2962**

IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA BEING A SUBDIVISION FOR CONDOMINIUM PURPOSES OF PARCELS AND OF PARCEL MAPS 04-0130 ACCORDING TO THE PROVISIONS OF THE PARCEL MAPS, AT PAGES 35-37 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

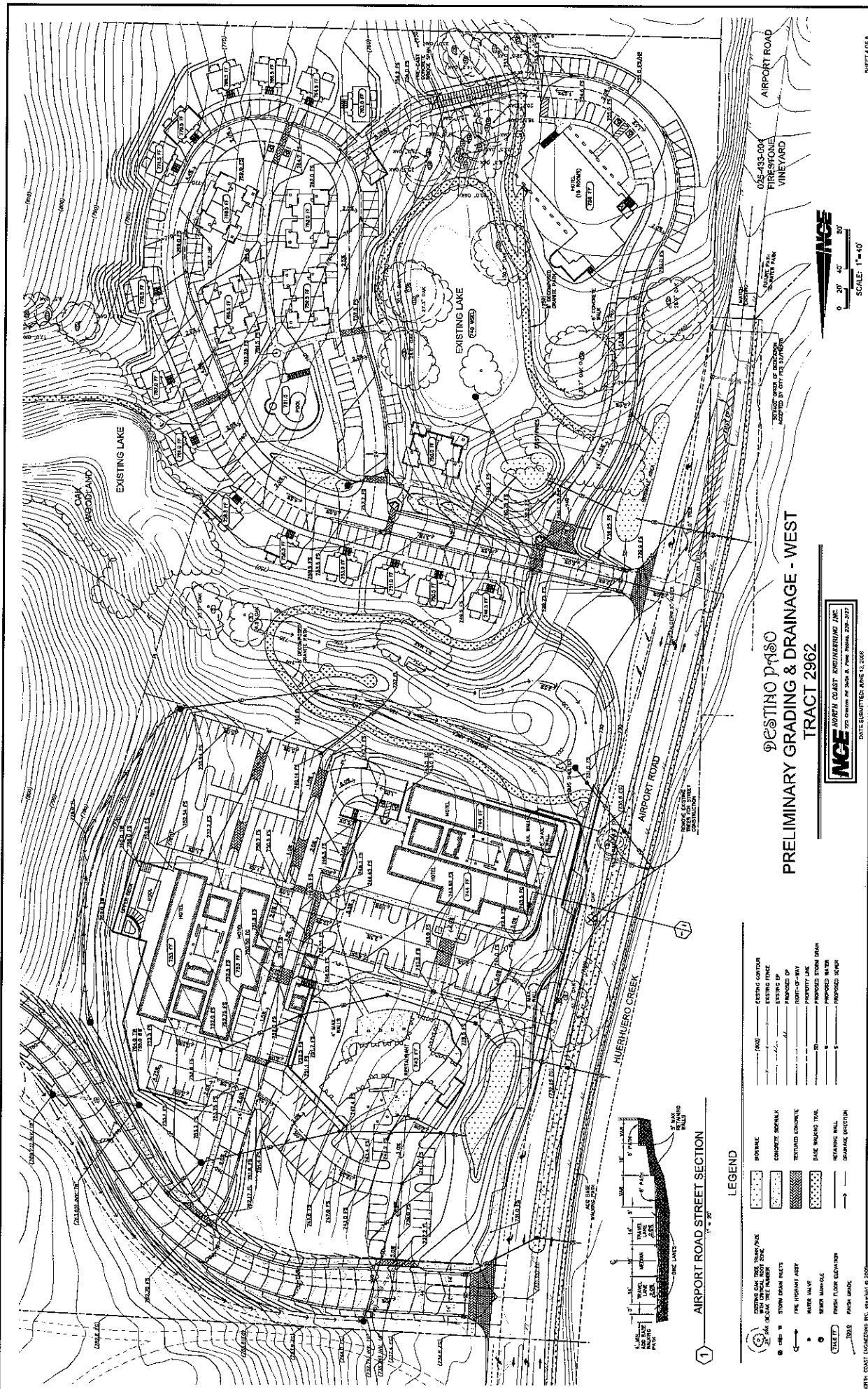


DATE SUBMITTED: APR 11, 2008 SHEET 2 OF 6









DESTINO PASO  
 PRELIMINARY GRADING & DRAINAGE - WEST  
 TRACT 2962

DATE SUBMITTED: JUNE 12, 2008

0 20' 40' 80'  
 SCALE: 1" = 40'

056-035-004  
 FIRESTONE  
 VINEYARD

**NCE**  
 NORTH COAST ENGINEERING, INC.  
 222 CENTER AVENUE, SUITE 200, PALM BEACH, FL 33411  
 DATE SUBMITTED: JUNE 12, 2008

056-035-004  
 FIRESTONE  
 VINEYARD

056-035-004  
 FIRESTONE  
 VINEYARD

056-035-004  
 FIRESTONE  
 VINEYARD

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 FIRESTONE  
 VINEYARD

056-035-004  
 FIRESTONE  
 VINEYARD

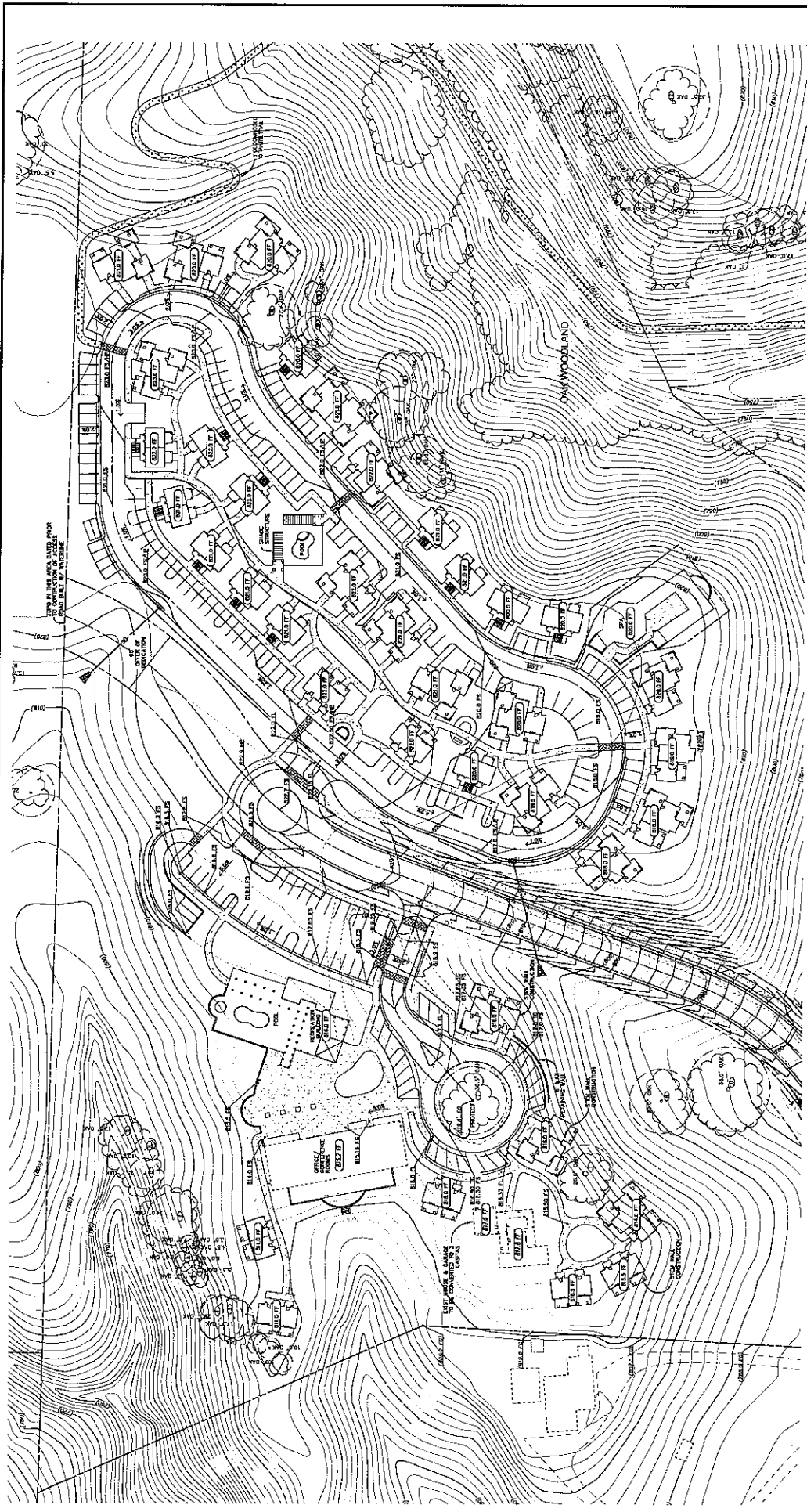
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 VINEYARD





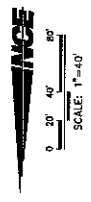
DESTINO PASEO  
 PRELIMINARY GRADING & DRAINAGE - EAST  
 TRACT 2962

DATE SUBMITTED: JUNE 13, 2008  
 SHEETS OF 8

**NCE**  
 NORTH COAST ENGINEERING INC  
 235 Columbia St Suite 6, Pensacola, FL 32501

**LEGEND**

- EXISTING DRAINAGE CONDUIT
- EXISTING CONC
- EXISTING DP
- PROPOSED DP
- PROPERTY LINE
- PROPOSED STORM DRAIN
- PROPOSED WATER
- PROPOSED SWMP
  
- BRICK/PAVE
- CONCRETE SIDEWALK
- RETURNED CONCRETE
- BASE RELIEF TIAL
- RETAINING WALL
- DRAINAGE DIRECTION
  
- EXISTING SIGN THE TRAMP/DOE
- NEW SIGN THE TRAMP/DOE
- STORM DRAIN INLET
- FIRE HYDRANT ASBY
- WATER TANK
- SEWER MANHOLE
- FISH FLOOR ELEVATION
- TABLE FISH DOCK



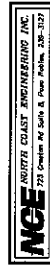
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PRELIMINARY UNDERGROUND PLAN - EAST  
TRACT 2962

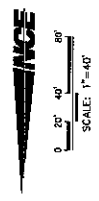
PROJECT NO. 19150

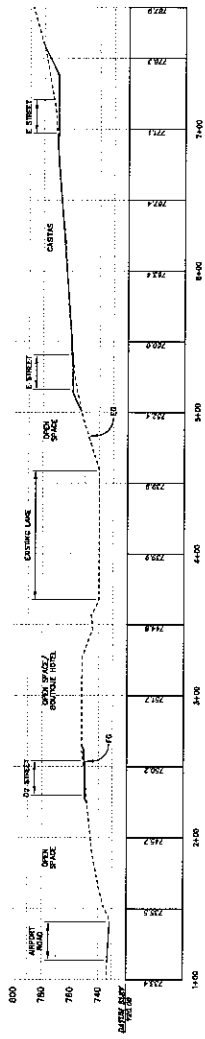


DATE SUBMITTED: JUNE 13, 2008  
SHEET 7 OF 8

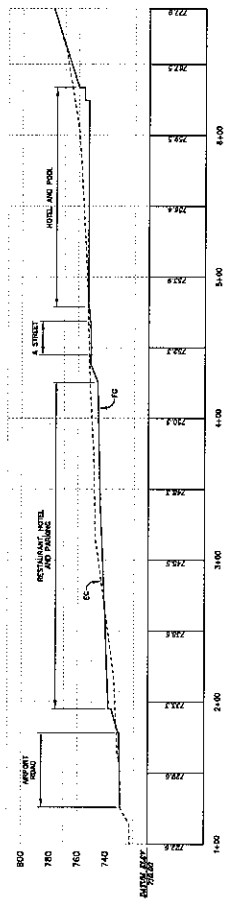
**LEGEND**

	STORM DRAIN		EXISTING CONTOUR
	CONCRETE CONDUIT		EXISTING FENCE
	TEXTURED CONCRETE		PROPOSED P
	BASE WARNING TRAIL		FRONT-OF-LOT
	ENTRANCE WALL		PROPOSED STONE DRAIN
	DRAINAGE DIRECTION		PROPOSED WATER
	STORM DRAIN INLET		PROPOSED BENCH
	FIRE HYDRANT		
	WATER VALVE		
	SEWER MANHOLE		
	FINISH FLOOR ELEVATION		
	FINISH GRADE		

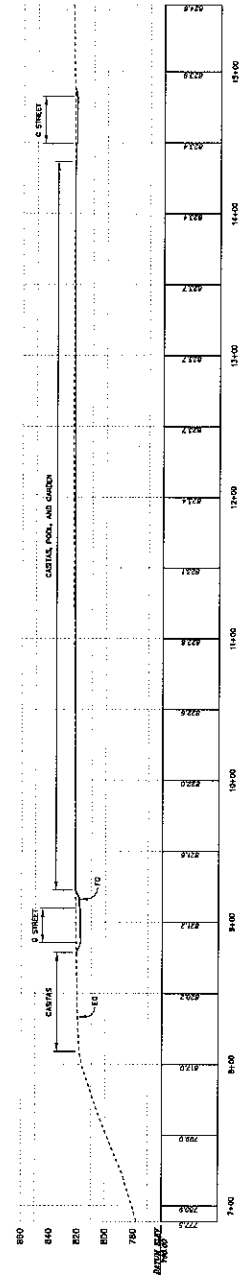




**CROSS SECTION 1**  
 VERTICAL: 1" = 40'  
 HORIZONTAL: 1" = 80'

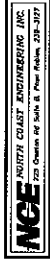


**CROSS SECTION 2**  
 VERTICAL: 1" = 40'  
 HORIZONTAL: 1" = 80'



**CROSS SECTION 3**  
 VERTICAL: 1" = 40'  
 HORIZONTAL: 1" = 80'

**DESTINO PRISO**  
**SITE CROSS SECTIONS**  
**TRACT 2962**



DATE SUBMITTED: APRIL 11, 2008  
 SHEET 6 OF 8

**PROPERTY CONSTRAINTS**

The Destino Paso project was developed in a way to satisfy a number of constraints:

- Topography and Grading
- Native Tree Preservation
- Utility Easements
- Airport Road Improvements
- Preservation of Biologically Sensitive Areas
- Airport Safety Zone Criteria

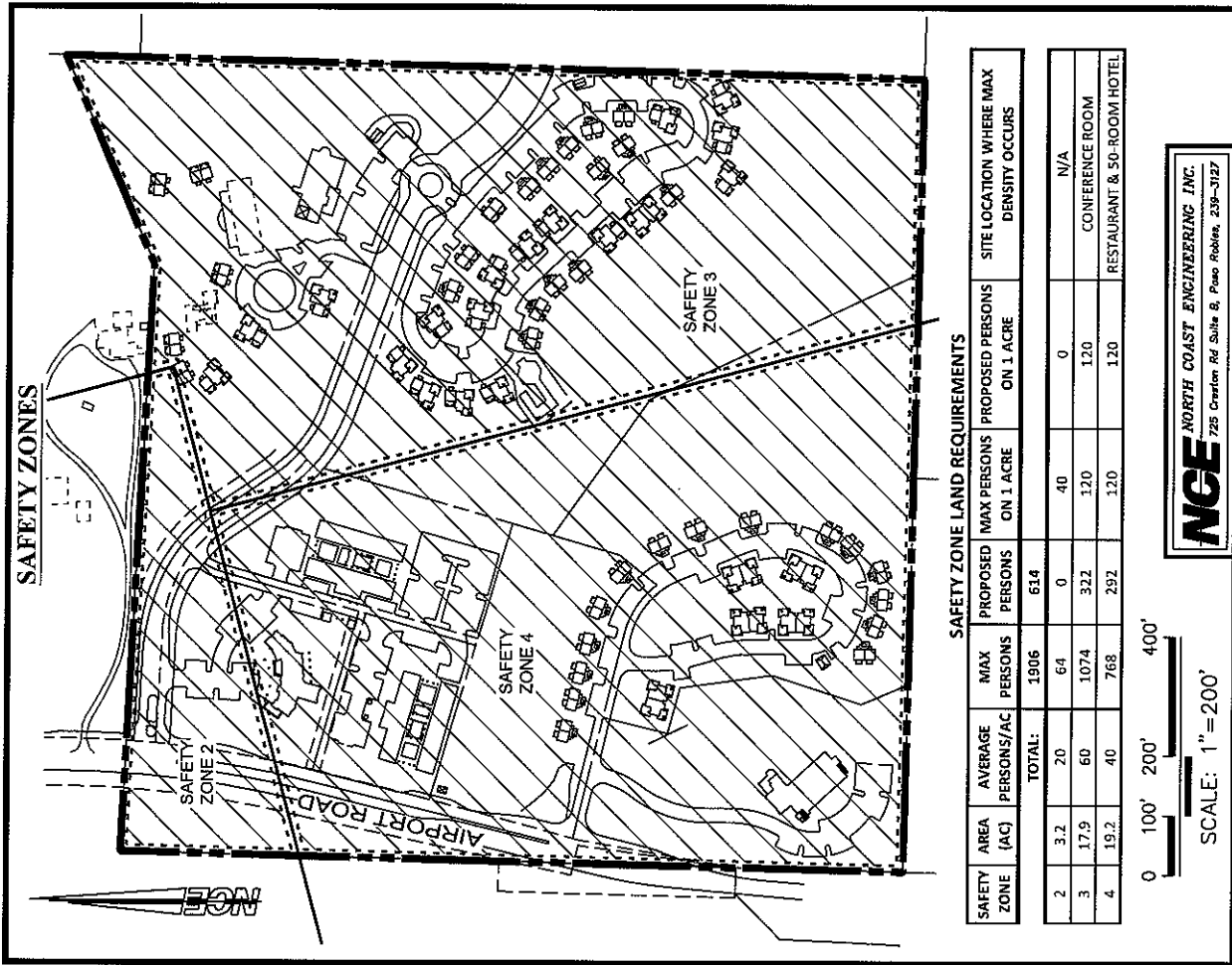
All of the above constraints were mapped for use in a design charrette. The project architect, landscape architect, civil engineer and developer's representative used these boundaries to identify building areas.

The Airport Safety Zones restrict land uses and population per acre. The exhibit (at right) titled "Safety Zones" graphically presents the zones relative to the project and parcel boundaries. Zone 2 prohibits any development. Zones 3 and 4 allow for non-residential transient lodging, up to 120 maximum persons per acre. The maximum population allowed for this 40 acres is 1,906 persons. The project has been clustered to areas suitable for the development, leaving over half of the property undeveloped. The maximum population for the project is estimate at 614.

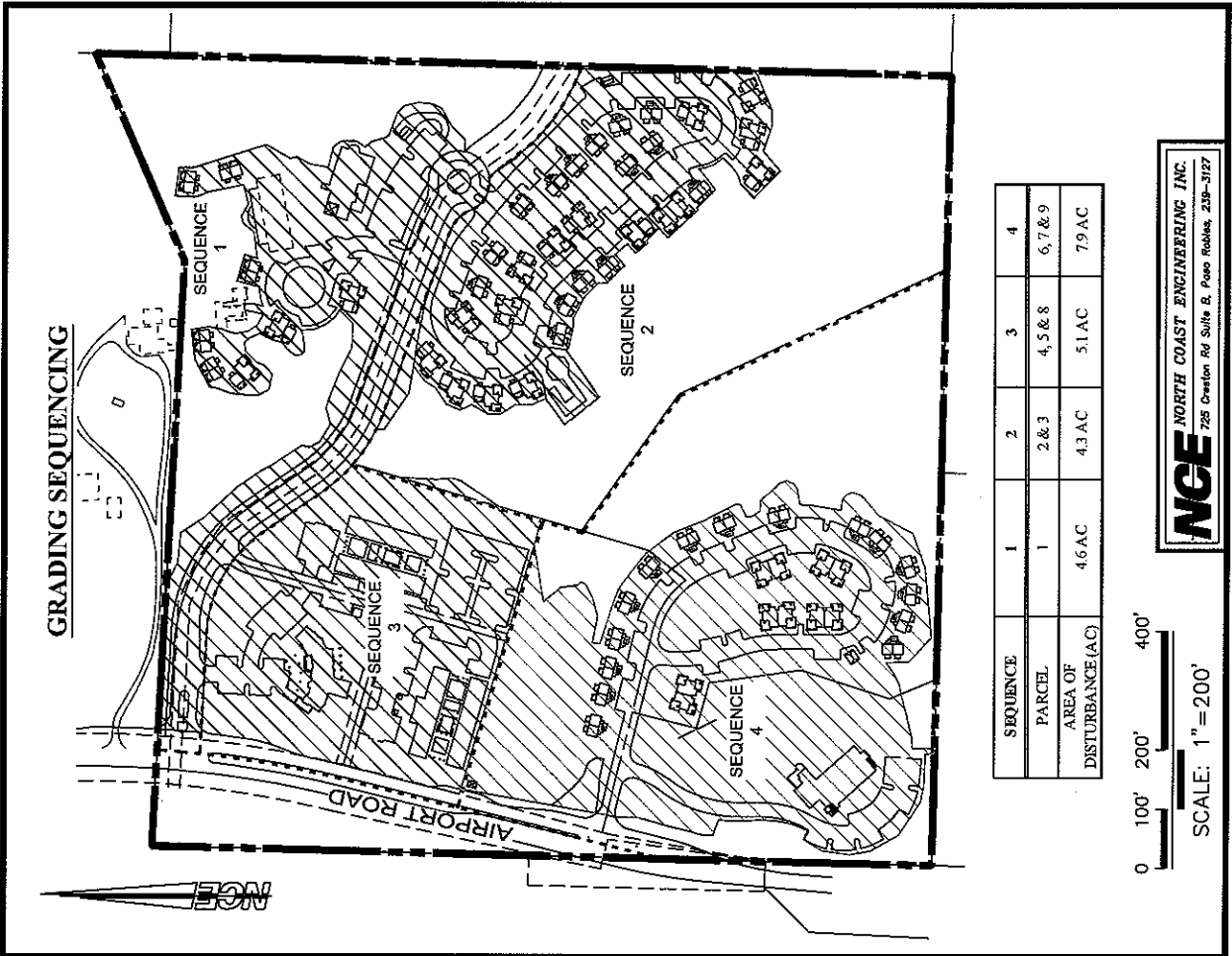
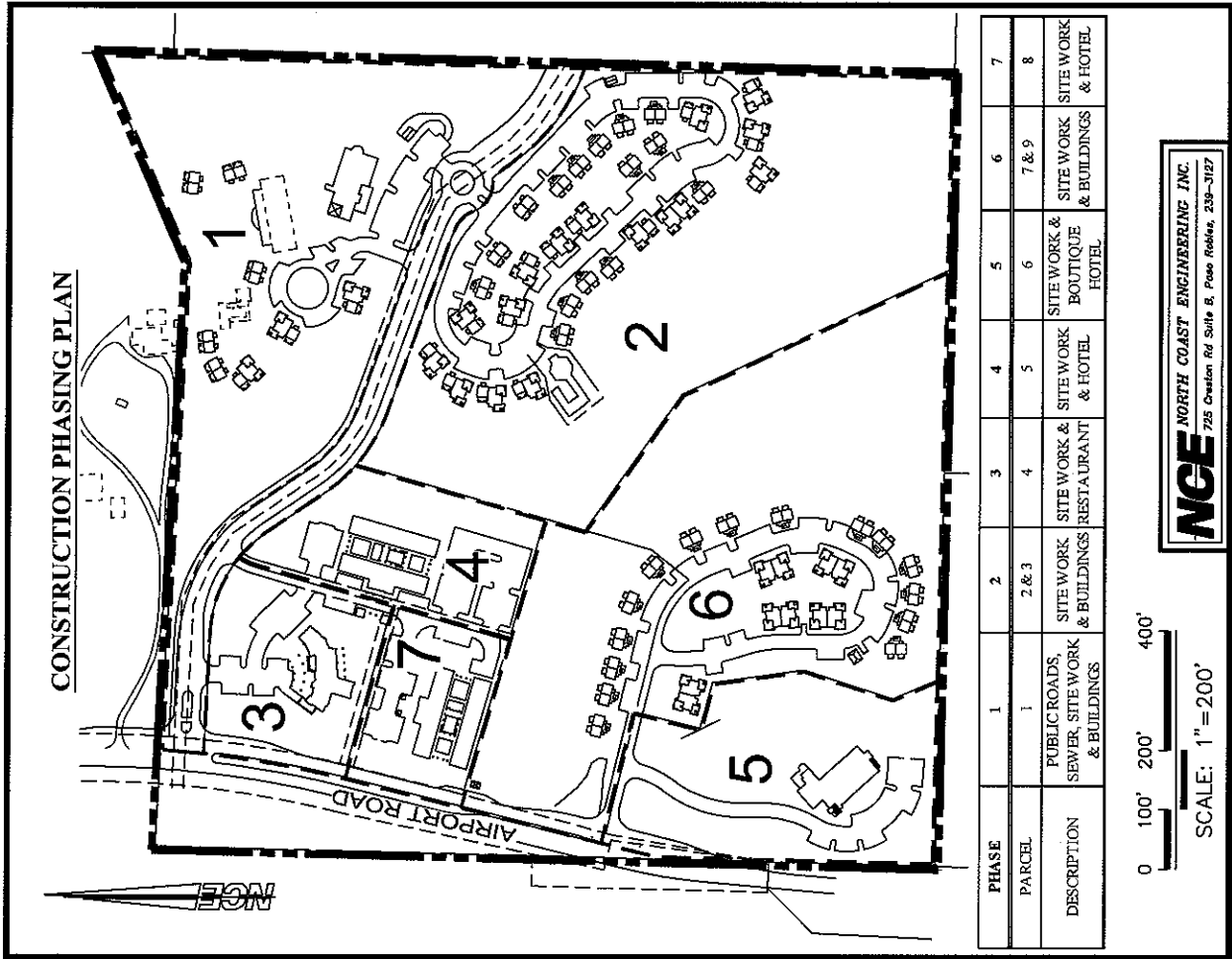
**PROJECT PHASING**

The "Construction Phasing Plan" and "Grading Sequencing" exhibits on the following on page demonstrate the proposed plan for constructing the project. The grading sequences are presented for the purposes of segmenting the payment of San Joaquin Kit Fox mitigation fees to coincide with the timing of the impact. It will be the developer's option to grade or construct more than one phase at a time. Mitigation fees will be paid to coincide with the area of disturbance prior to the issuance of a grading permit.

The "Construction Phasing Plan" indicates the intended order to the construction of the resort. All associated infrastructure will be constructed with each phase per the project conditions of approval.



**NCE**  
 NORTH COAST ENGINEERING INC.  
 725 Creation Rd Suite B, Paso Robles, 239-3127



## Site and Landscape Design Guidelines

The Site and Landscape design concept for Destino Paso is to create a high quality resort environment that capitalizes on the natural, wooded, rural character of the site and environs. The siting and scale of buildings in clusters nestled in to the land form is intended to:

- retain oak woodlands
- optimize views
- create a variety of "village" identities
- establish an Mediterranean agrarian village motif

Exhibit X depicts the Landscape Concept for Destino Paso. The Landscape concept illustrates the following design elements:

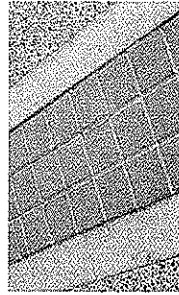
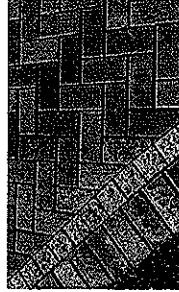
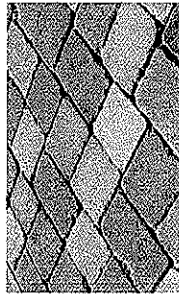
- The massing and types of trees for screening, shade, spatial definition and visual appeal.
- The landscape planting zones that create a transition from lush resort gardens around the buildings to the natural Oak Savannah landscape in the Open Space areas.
- Pedestrian circulation including sidewalks, paths, special pavements and hiking paths.
- Agrarian motif elements including Olive orchard, Vineyards and Lavender fields.
- Project signage and Lighting
- Pool Terraces and Dining Terrace
- Airport Drive landscape median
- Biofiltration areas and ponds.

Exhibit X shows a cross section through the site illustrating the landform, building scale and massing and the major tree plantings. The exhibit includes signage and building landscape concepts that are illustrated in more detail on Exhibits X. x and X following.

## DESTINO PASO ARCHITECTURAL AND SITE DESIGN GUIDELINES

### Pedestrian and Parking Amenities

**Pavements:** The quality of the pedestrian experience is very important for this resort. The primary surface material for walks and paths in the project is standard concrete. Where walks and paths cross vehicle travel ways, special pavement will be used to delineate the crossings. Options include pavers that are rustic and natural such as tumbled concrete cobbles or brick.



**Parking islands:** The relationship of parking to the buildings is important for user convenience. The design seeks to get cars near the building while breaking parking bays into as small of numbers in each bay as practical. In key pedestrian crossing areas, the parking islands and finger planters are widened to de-emphasize parking and emphasize walking.

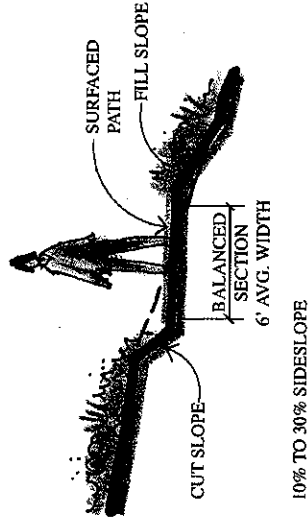
Images

PAGE

**Parking shade:** Trellage with vines is incorporated into the parking at key locations to serve as shade for cars and to break up the parking areas into smaller visual units.

image

**Hiking Trails:** The design includes hiking paths that link the village clusters, combined with the opportunities for non-automobile transport around the site, as described below, the paths enable active people to move around the site for recreation and to other destinations in the resort. The paths are to be to at least US Forest Service trail standards and are not intended for disabled persons.

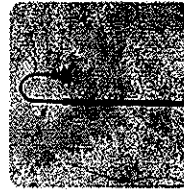


REFER TO DRWG. #912-1 OF U.S.D.A. "STANDARD DRAWINGS FOR CONSTRUCTION AND MAINTENANCE OF TRAILS," DECEMBER 1996

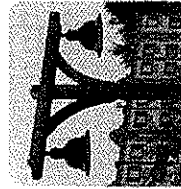
**TYPICAL TRAIL SECTION**



**Site Lighting:** Pole mounted fixtures has been selected to vary among the village clusters. The fixtures are to be set on poles as low as practical to achieve adequate security and operational illumination levels, approximately 14 to 20 feet, depending on the application. Luminaires are to be shield, down-directed units.



**Pole Light**  
Conference Center / Pool House  
Building Types A-D

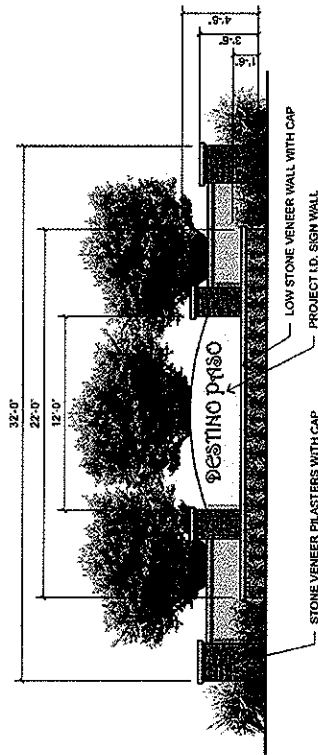


**Pole Light**  
Boutique Hotel

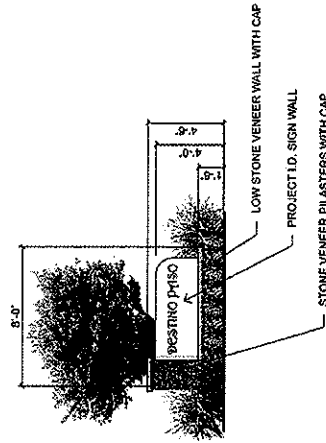
**Pole-Mounted Lights**



**Signage:** The major identity signage is illustrated below. The primary entrance sign on Airport Road identifies the resort. The design is low profile and incorporates stone and planting into the forms and walls. Secondary signage within the resort for the restaurant, boutique hotel and other elements is illustrated below. These signs are smaller monument type signs. All signs are illuminated with ground mounted flood lights. The logo, name or other identify images may vary on signs in the project but should carry forward the motif of the monument sign materials and scale.

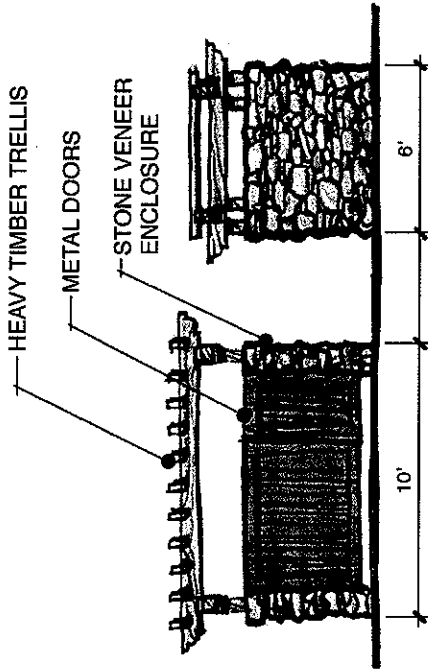


Major Project Monument Sign Elevation



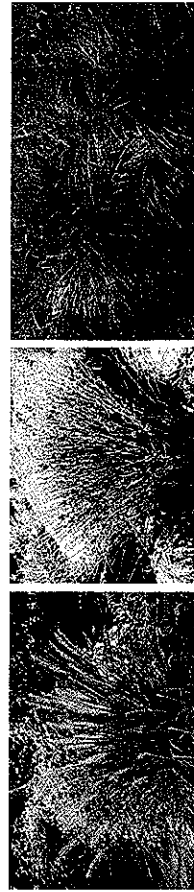
Interior Project I.D. Sign Elevation

**Service Areas and Trash Enclosures:** Trash enclosures and service buildings are situated around the resort. Each village cluster will have facilities in the main buildings or as separate small service buildings for housekeeping, trash management, and facility maintenance. These buildings may house a service cart. Trash enclosures are to carry forward the theme of the resort incorporating stone, palter and trellis elements



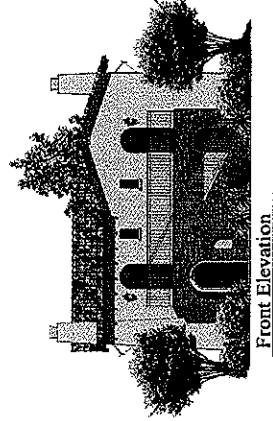
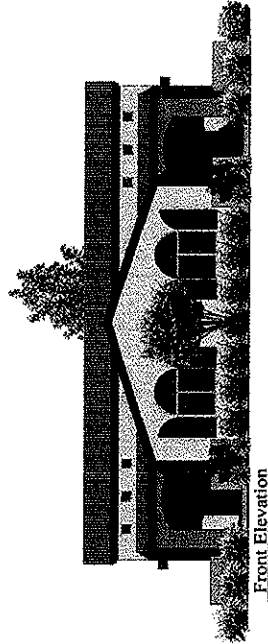
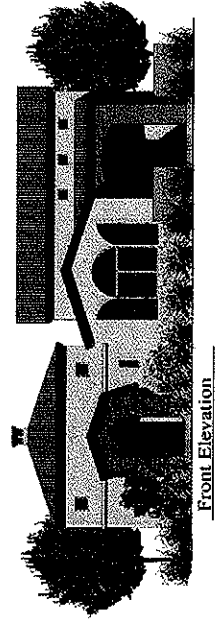
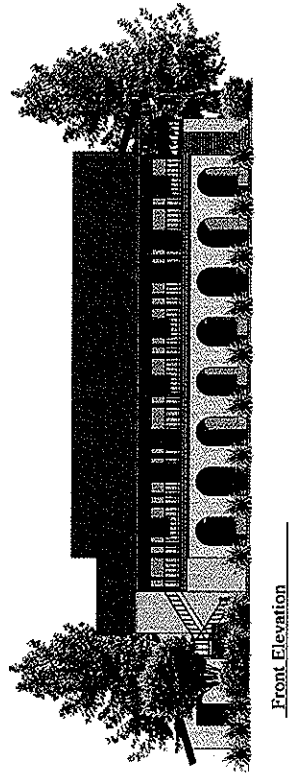
TRASH ENCLOSURE with TRELLIS

**Bio-filtration:** Stormwater will be clarified to regulatory standards using bio-swales. Bioswale plantings will include native grasses, sedges and rushes adapted to winter saturation and moderate summer drought.

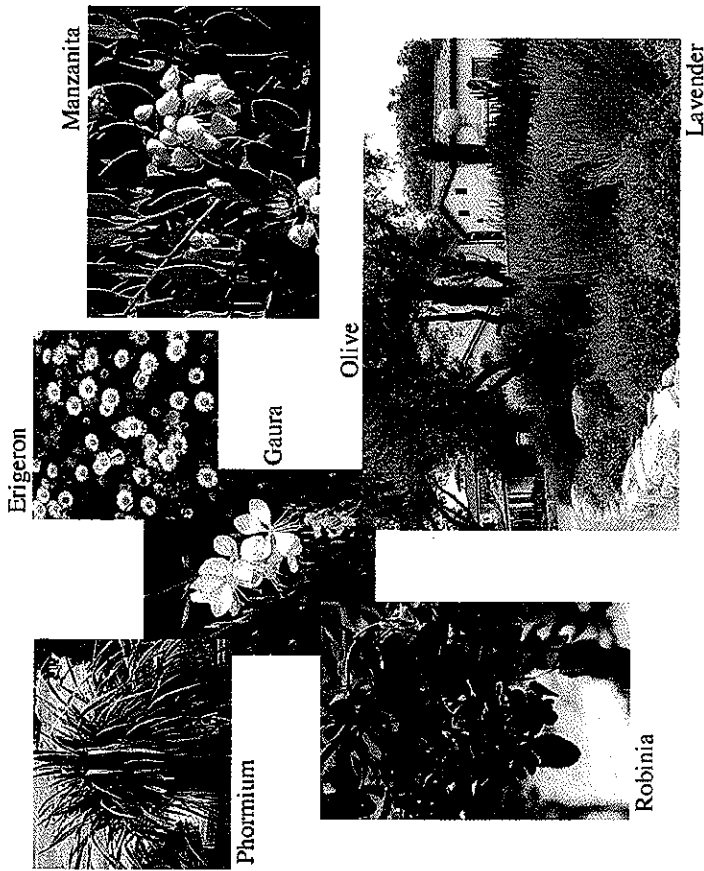


**Landscape Concepts**

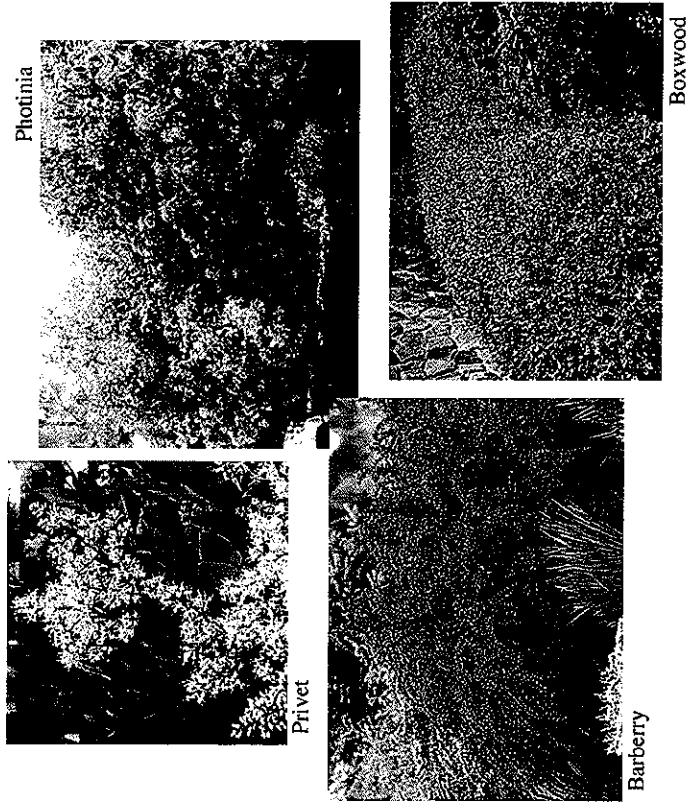
**Typical Building Landscape:** The following building elevation images depict the scale, species, spacing and massing of trees, shrubs and ground covers in the lush, Mediterranean resort garden areas shown on Exhibit X.



**Native Transition Landscape:** The Landscape Concept for the resort is to create a naturalistic transition from the Mediterranean resort gardens to the Oak Savannah landscape in the Open Space. The transitional planting zones will include the kinds of plantings depicted in the images below.



**Screening of mechanical equipment:** Planting will be used to screen the views to backflow equipment, transformers and meters on buildings. The planting screen should avoid a contrived "hedge" appearance. The planting should be layered in sizes and width, as practical given the space, and use plants that are suitable for the application such as Privet, Photinia, Boxwood, Fortnight Lily and Barberry.



## Architectural Design Guidelines

The Architectural Design Guidelines establish the standards for materials, styles, finishes and colors that should be carried forward in each village development and building type. Exhibit X Preliminary Design Elevations and Details-Hotel and Exhibit X Preliminary Design Elevations and Details-Visitor Lodging Building Type D illustrate the design standards for a range of materials and details that may be incorporated in all the buildings.

Exhibit X establishes the architectural standards for the commercial type buildings including the Hotel, restaurant, spa, boutique hotel and conference center. Exhibit X establishes the architectural standards for the Visitor Lodging buildings A-D and the Remodeled existing house.

Exhibits X and X depict a range of architectural detailing schemes that may be used. For example, each commercial building may not have the same roof tile or window detailing as the others. The various Visitor Lodging units may have one type of balcony railing on one and a different one another. Likewise for chimneys, windows and doors. In this way a more organic, "village" appearance can be created while maintaining overall design consistency and harmony. The various buildings are intended to have variations in stylistic detailing and forms while maintaining a unified overall resort theme. The architectural styles range from Palladian to Moorish-Southern Spanish to rustic Italian motifs.

Exhibits X-X for the restaurant, spa boutique hotel, and visitor lodging units illustrate a conceptual level of architectural design. These illustrate the form and massing, fenestration pattern, height, and the basic architectural detail of eaves, stairs, columns etc. The prototypical detailing on Exhibits X and X for the hotel and visitor lodging unit D are intended to be incorporated into the next level of design for each of these buildings.

**Finishes and Colors:** Exhibit X shows the range of colors that the architectural palette may include. As in style, the colors of the various buildings should vary within a prescribed range to create organic unity. Final building architectural plans should be consistent with this palette of colors. Final color and material boards for each building permit application should include color samples for the body and trim colors, roof tile and finishes on windows and balustrades, awning and shutter colors and stone veneer, and so forth.

**Sconce lights:** Exterior building lighting in the form of decorative sconce lights will be a primary form of exterior illumination. Recessed, soffit type lighting will be used provide additional illumination in alcoves, breezeways, porches and so forth. The range of sconce lights are illustrated below.



Sconce  
Resort Hotel / Pool House /  
Conference & Event Center



Sconce  
Fine Dining / Health Spa



Sconce  
Boutique Hotel / Building Types A-D



Sconce  
Resort Hotel / Fine Dining

### Wall-Mounted Lights

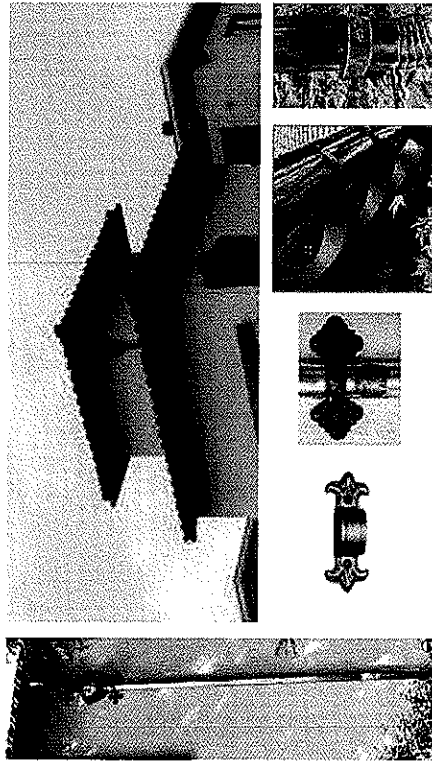
**Mechanical Equipment:** Exterior mechanical equipment shall be screened by ornamental wrought iron grills for all wall mounted equipment. Roof mounted equipment recessed in roof wells. At grade equipment shall be behind utility yard walls or behind landscaping of similar width and height.

Unscreened roof mounted units or screening by lattice or fencing of any material shall not be allowed. Nor shall roof mounted equipment and associated screening extend above the adjacent roof line ridges.

**Facility Equipment Recommendations:**

- Resort Hotel
  - Packaged Terminal Air Conditioners & Heat Pump on the exterior face of building Building Type C & D
  - Heat Pumps above bathroom ceilings
- Health Spa
  - Forced Air Units in roof well or mechanical cabinets
  - Air Conditioner condensers screened by landscaping of similar width and height
- Fine Dining
  - Forced Air Units in roof well or mechanical cabinets
  - Air Conditioner condensers screened by landscaping of similar width and height
  - Restaurant equipment (for example, hood exhaust fans and intake air equipment) in roof well
- Recreation Area / Pool / Pool House
  - Forced Air Units in roof well or mechanical cabinets
  - Air Conditioner condensers screened by landscaping of similar width and height
- Conference Building
  - Forced Air Units in roof well or mechanical cabinets
  - Air Conditioner condensers screened by landscaping of similar width and height
- Boutique Inn
  - Packaged Terminal Air Conditioners & Heat Pump on the exterior face of building

**Roof Drains and Downspouts:** All buildings shall be guttered with half round aged copper or oil bronzed finishes. All downspouts shall be round and attached with decorative downspout brackets. All commercial buildings shall be guttered to collector boxes and downspouts concealed in walls. Residential buildings, for example Building Type C & D, may incorporate exposed round downspouts with decorative downspout brackets.



# DESTINO PASO

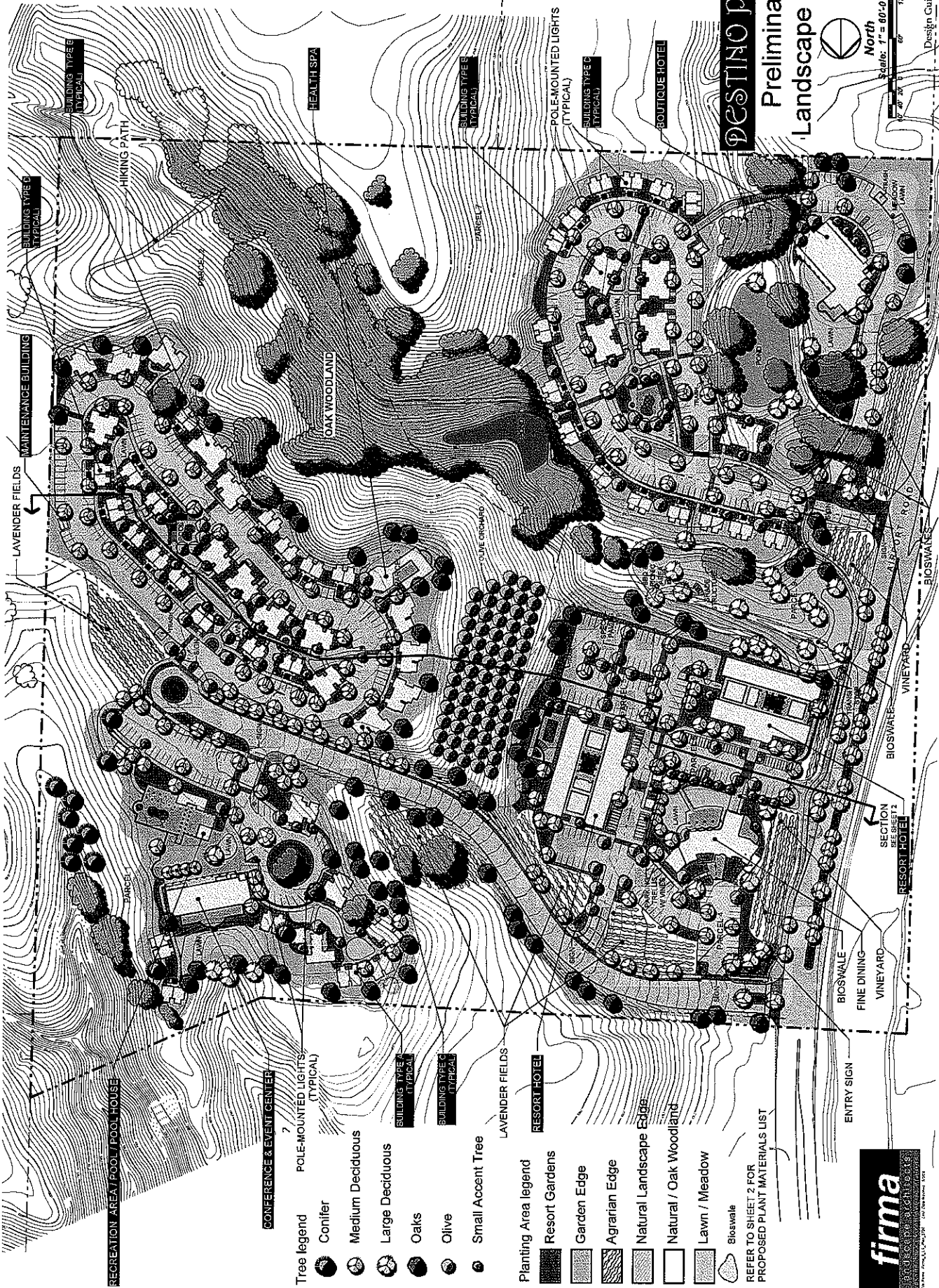
## Preliminary Landscape Plan



Scale: 1" = 60'-0"

Plan set # 1

Design Guidelines # 1



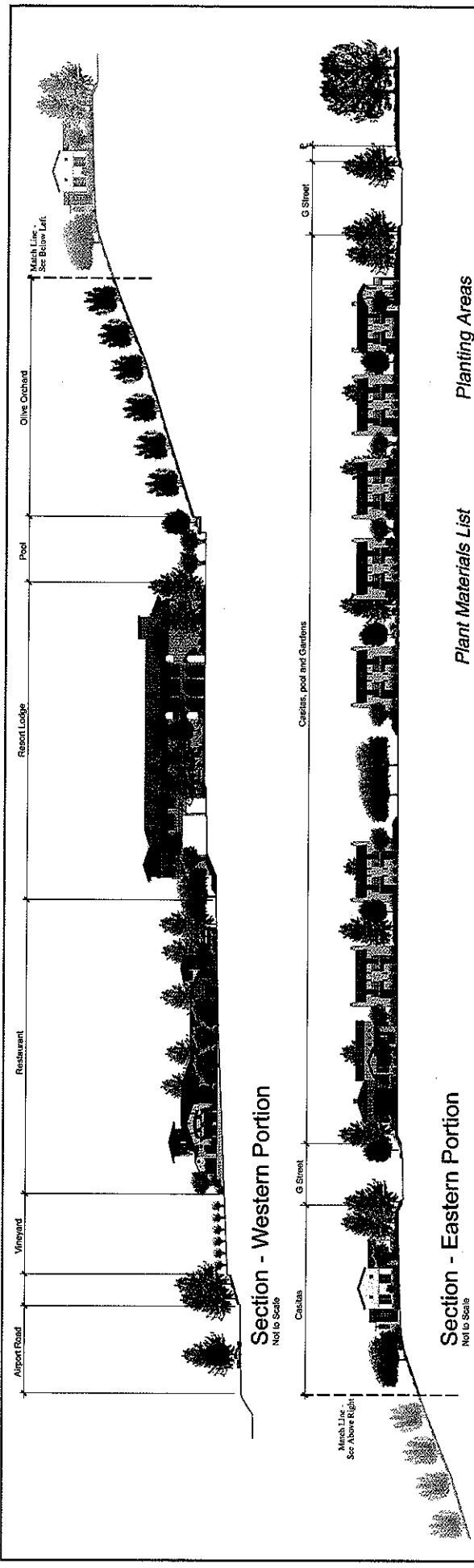
- CONFERENCE & EVENT CENTER**
- RECREATION AREA / POOL / POOL HOUSE**
- MAINTENANCE BUILDING**
- LA VANDER FIELDS**
- HEALTH SPA**
- OAK WOODLAND**
- RESORT HOTEL**
- BOUTIQUE HOTEL**
- RESORT HOTEL**
- BIOSWALE**
- FINE DINING**
- VINEYARD**
- RESORT HOTEL**
- ENTRY SIGN**

- Tree legend**
- POLE-MOUNTED LIGHTS (TYPICAL)**
- CONIFER**
- MEDIUM DECIDUOUS**
- LARGE DECIDUOUS**
- OAKS**
- OLIVE**
- SMALL ACCENT TREE**

- Planting Area legend**
- RESORT GARDENS**
- GARDEN EDGE**
- AGRARIAN EDGE**
- NATURAL LANDSCAPE EDGE**
- NATURAL / OAK WOODLAND**
- LAWN / MEADOW**
- BIOSWALE**

REFER TO SHEET 2 FOR PROPOSED PLANT MATERIALS LIST





Section - Western Portion  
Not to Scale

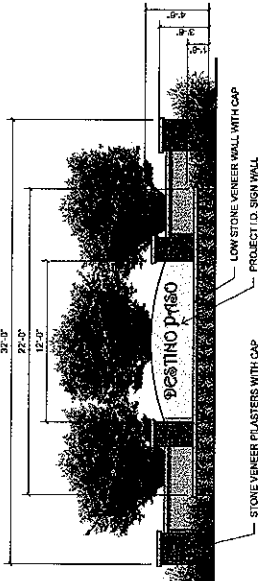
Section - Eastern Portion  
Not to Scale

**Plant Materials List**

- Native Oak Trees**  
Quercus agrifolia  
Quercus lobata
- California Live Oak**  
Valley Oak
- Large Deciduous Trees**  
Platanus racemosa
- California Sycamore**
- Deciduous Trees**  
Fraxinus oxycarpa 'Raywood'  
Platanus chinensis  
Robinia arbutiflora 'Purple Robe'
- Raywood Ash**  
**Chinese Pistach**  
**Purple Robe Locust**
- Olive Trees**  
Olea europaea 'Sens All'
- Olive (Fruitless)**
- Conifer Trees**  
Pinus sabiniana  
Pinus torreyana
- Gray Pine**  
**Torrey Pine**
- Small Accent Trees**  
Arbutus Menziesii  
Lagotis montana  
Chilopsis salicifolia
- No Common Name**  
**Crape Myrtle**  
**Chitalpa**

**Planting Areas**

- 1. Natural Zone**  
Oak Trees  
Evergreen Grasses
- 2. Natural Edge Zone**  
Oak Trees: small & specimen accent  
Accent Trees:  
Cottonwoods  
Native / Natural Grasses  
Native / Meadow Shrubs:  
CISTUS sp. (Rockrose)  
Baccharis sp. (Dwarf Coyote Bush)  
Rhamnus californica (California)  
Heteromeles arbustifolia (Toyon)
- 3. Agrarian Edge Zone**  
Lavender Palms  
Yucca  
Olive Grove  
Specimen Tree Accent:  
Olive Trees
- 4. Garden Edge Zone**  
Ornamental Grasses  
Cistus sp. (Rockrose)  
Lavender  
Silvia (Sage)  
Artemisia 'Powis Castle'  
Zauschneria sp. (California Fuchsia)
- 5. Resort Garden Zone**  
Shrubs:  
Cotoneaster paniculata (Red Custerberry)  
Ligustrum 'variegatum' (Glossy Privet)  
Heteromeles arbustifolia (Toyon)  
Paeonia tree  
Pinus jeffreyi
- GROUND COVERS:**  
Cotoneaster sp.  
Eriogonum sp.  
Homocaulis hybrid (Day Lily)  
Rosa multiflora (Dwarf Rosemary)  
Sarcocolla  
Roses  
Ornamental Grasses
- 6. Lawn / Meadow Zone**  
Turf-type Tall Fescue



Major Project monument Sign Elevation

Interior Project I.D. Sign Elevation

**Typical Project Monument Signs**  
Not to Scale

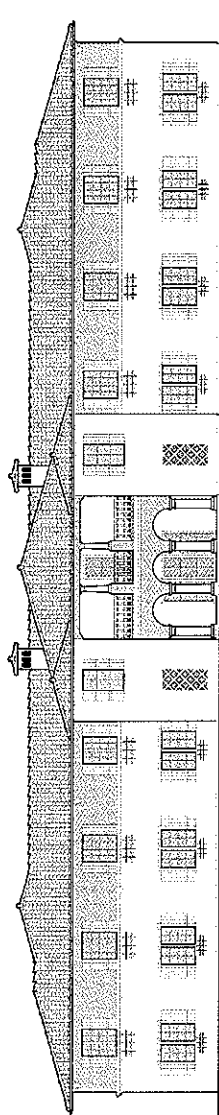


Typical Project Landscape Concept  
Not to Scale

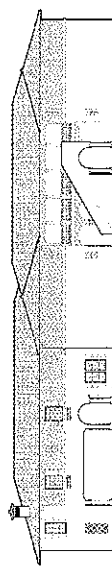
**DESTINO PASO**  
**Landscape Sections**

Tract 2962  
Paso Robles, California 10

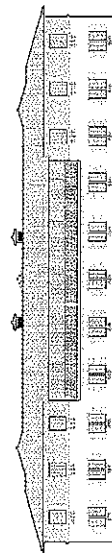




**Front Elevation**  
SCALE: 1/8" = 1'-0"

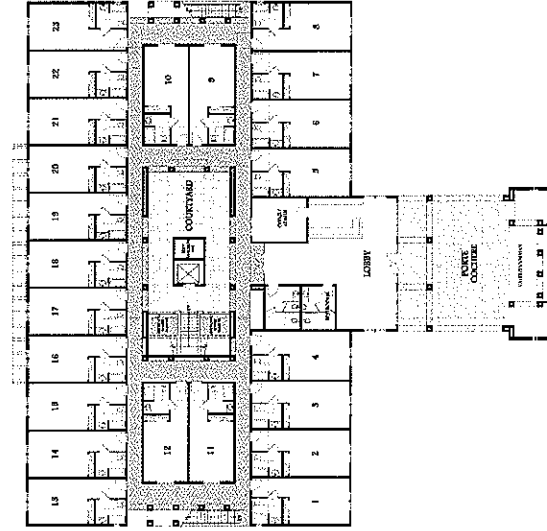


**Right Elevation** LEFT ELEVATION SIMILAR  
SCALE: 1/8" = 1'-0"



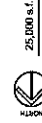
**Rear Elevation**  
SCALE: 1/8" = 1'-0"

**Preliminary Elevations**



Lower Floor Plan

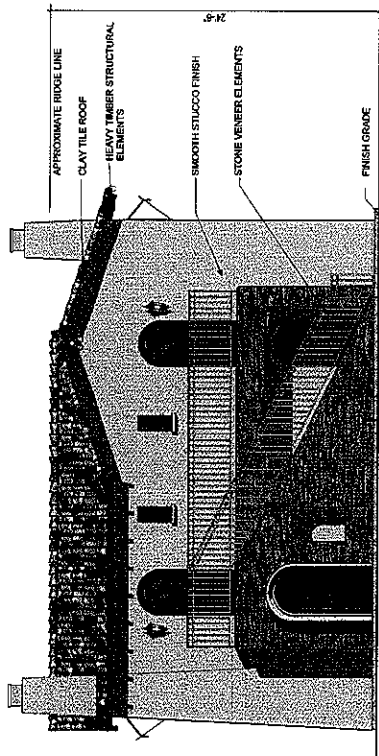
**Preliminary Floor Plan**  
SCALE: 1/8" = 1'-0"



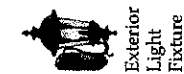
**DESTINO PASO**

**Resort Hotel**  
Tract 2962  
Paso Robles, California

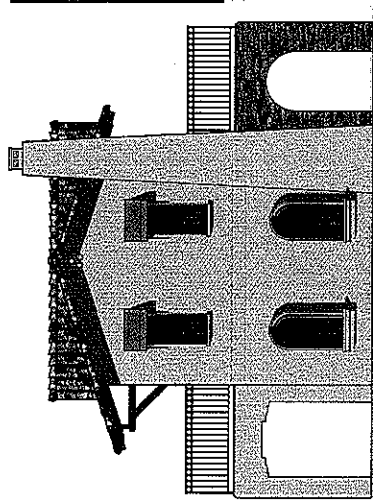




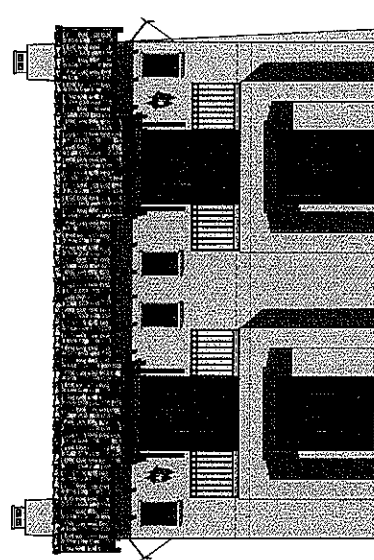
Front Elevation



Exterior Light Fixture

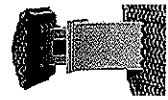


Left Elevation



Rear Elevation

Scheme B Chimney Detail

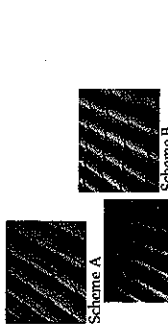


Tile Roofs

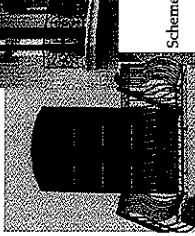
French Doors

Scheme B Window Ledges

Iron Railings



Scheme C Roof Tiles



Balcony & Iron Railings

Radius Door Tops



Scheme C



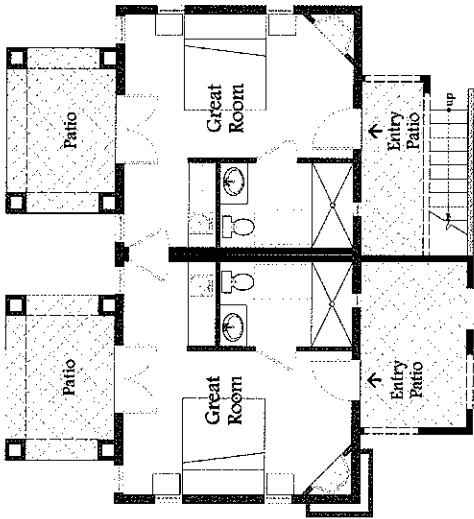
Scheme A Custom Rustic Doors



French Doors



Ledger Stone

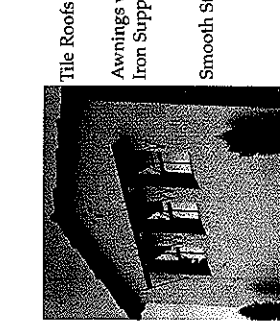


First Level Floor Plan

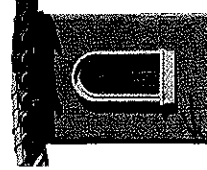
Preliminary Floor Plan

SCALE: 1/8" = 1'-0"

(4) 324 s.f. Units



Scheme A Window Awnings



Scheme B Radius Windows



Scheme C Rustic Shutters

Tile Roofs

Awnings with Iron Supports

Smooth Stucco

DESTINO PASO

Building Type D

Tract 2962

Paso Robles, California

Right Elevation

Preliminary Elevations

SCALE: 1/8" = 1'-0"



Steven Puglia ARCHITECTURE

**COLOR SCHEME 1**

**ROOF**  
Manufacturer: U.S. Tile  
Color: One-Piece Tuscan Blend

**STUCCO PRIMARY COLOR**  
Manufacturer: Frazee  
Color: 8765P Beaver Creek

**STUCCO ACCENT COLOR**  
Manufacturer: Frazee  
Color: 7741W Silvered Pecan

**WOOD TRIM**  
Manufacturer: Frazee  
Color: 8346N Taiga

**WINDOWS**  
Type: Clad Exterior  
Color: Dark Bronze

**COLOR SCHEME 5**

**ROOF**  
Manufacturer: U.S. Tile  
Color: One-Piece Tuscan Blend

**STUCCO PRIMARY COLOR**  
Manufacturer: Frazee  
Color: 8183M Salt Bush

**STUCCO ACCENT COLOR**  
Manufacturer: Frazee  
Color: 8181W Mason Blanche

**WOOD TRIM**  
Manufacturer: Frazee  
Color: 8276A Mesquite Canyon

**WINDOWS**  
Type: Clad Exterior  
Color: Dark Bronze

**STONE**  
Manufacturer: Cultured Stone  
Type: Country Ledges  
Color: Honey CSV-20005

**COLOR SCHEME 2**

**ROOF**  
Manufacturer: U.S. Tile  
Color: One-Piece Tuscan Blend

**STUCCO PRIMARY COLOR**  
Manufacturer: Frazee  
Color: 8148M Mosselle

**STUCCO ACCENT COLOR**  
Manufacturer: Frazee  
Color: 8674K Ruddy River

**WOOD TRIM**  
Manufacturer: Frazee  
Color: 8345D Western Cedar

**WINDOWS**  
Type: Clad Exterior  
Color: Dark Bronze

**COLOR SCHEME 6**

**ROOF**  
Manufacturer: U.S. Tile  
Color: One-Piece Tuscan Blend

**STUCCO PRIMARY COLOR**  
Manufacturer: Frazee  
Color: 8765D Beaver Creek

**STUCCO ACCENT COLOR**  
Manufacturer: Frazee  
Color: 8183M Salt Bush

**PAUX MARBLE TRIM**  
Manufacturer: Frazee  
Color: 8383D Smoke Bush

**WINDOWS**  
Type: Clad Exterior  
Color: Dark Bronze

**COLOR SCHEME 3**

**ROOF**  
Manufacturer: U.S. Tile  
Color: One-Piece Tuscan Blend

**STUCCO PRIMARY COLOR**  
Manufacturer: Frazee  
Color: 7754M Safari Tan

**WOOD TRIM**  
Manufacturer: Frazee  
Color: 8336N Bavarian Chalet

**WINDOWS**  
Type: Clad Exterior  
Color: Dark Bronze

**STONE**  
Manufacturer: Cultured Stone  
Type: Country Ledges  
Color: Honey CSV-20005

**COLOR SCHEME 7**

**ROOF**  
Manufacturer: U.S. Tile  
Color: One-Piece Tuscan Blend

**STUCCO PRIMARY COLOR**  
Manufacturer: Frazee  
Color: 8185D Ardmore Green

**STUCCO ACCENT COLOR**  
Manufacturer: Frazee  
Color: 7712W Dijon

**WOOD TRIM**  
Manufacturer: Frazee  
Color: 8346N Taiga

**WINDOWS**  
Type: Clad Exterior  
Color: Dark Bronze

**STONE**  
Manufacturer: Cultured Stone  
Type: Country Ledges  
Color: Honey CSV-20005

**COLOR SCHEME 4**

**ROOF**  
Manufacturer: U.S. Tile  
Color: One-Piece Tuscan Blend

**STUCCO PRIMARY COLOR**  
Manufacturer: Frazee  
Color: 8243N Amber Waves

**STUCCO ACCENT COLOR**  
Manufacturer: Frazee  
Color: 7806N Roaring Heath

**WOOD TRIM**  
Manufacturer: Frazee  
Color: 8346N Taiga

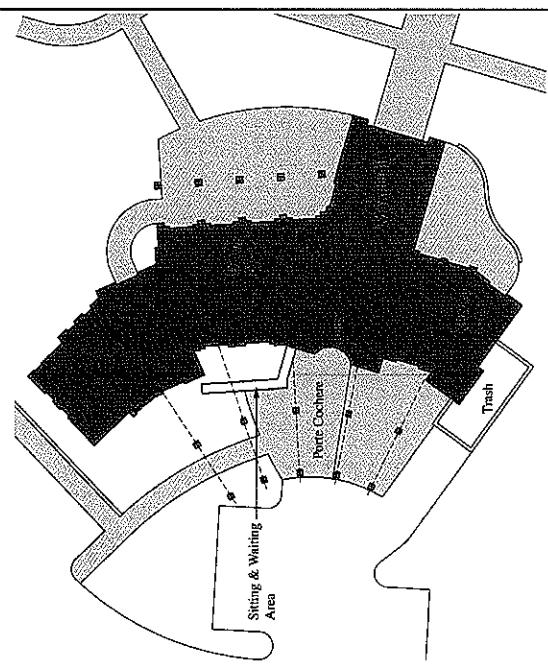
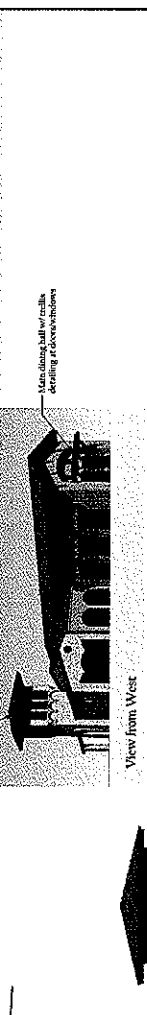
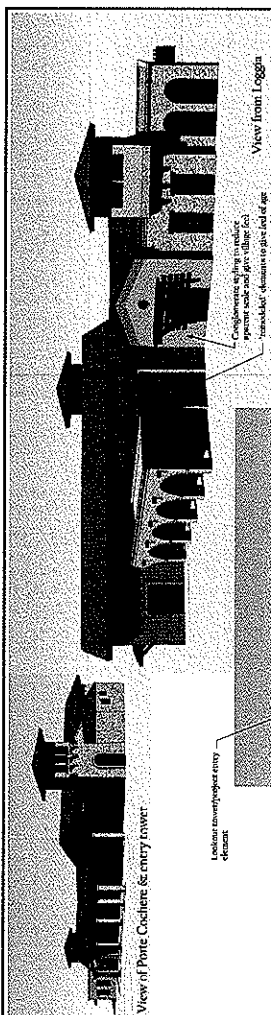
**WINDOWS**  
Type: Clad Exterior  
Color: Dark Bronze

**DESTINO PASO**

**Finishes & Color Samples**

Tract 2962

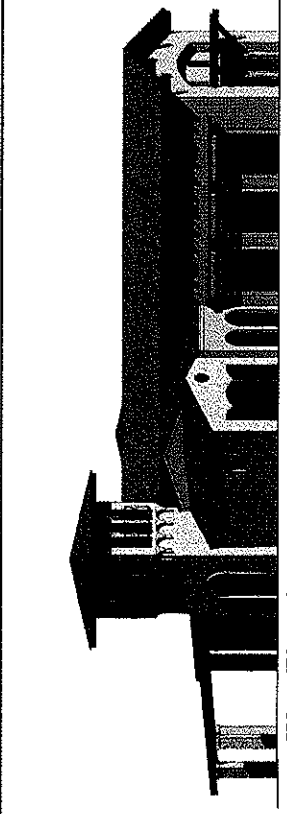
Paso Robles, California



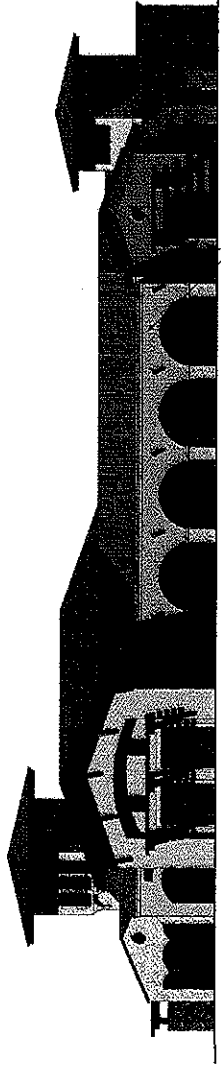
**Conceptual Floor Plan**  
Not to Scale

**DESTINO PASO**

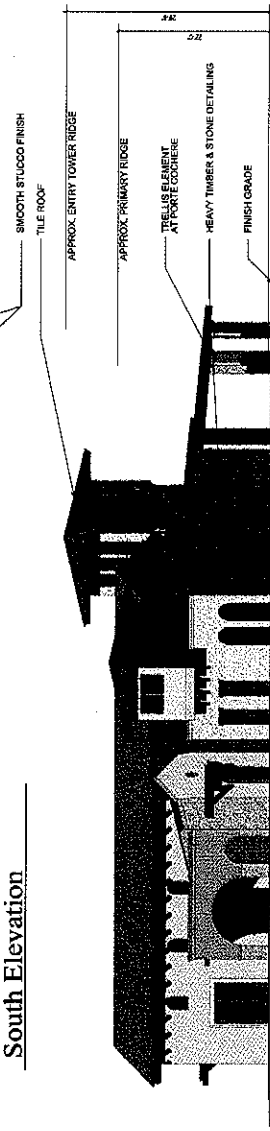
**Fine Dining**  
Tract 2962  
Paso Robles, California



**West Elevation**



**South Elevation**



**East Elevation**



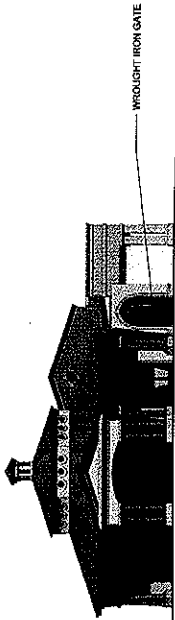
**North Elevation**

**Conceptual Elevations**  
Not to Scale

4,800 S.F. RESTAURANT  
800 S.F. GET SHOP  
Not to Scale

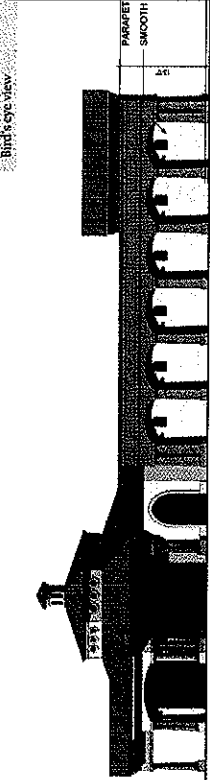


MECHANICAL EQUIPMENT ENCLOSED IN ROOF STRUCTURES OR BEHIND HIDDEN PANELS FROM LOGGIA



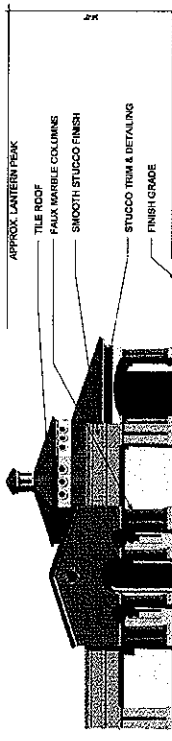
WROUGHT IRON GATE

**Southeast Elevation**



PARAPET SMOOTH

**Northeast Elevation**



APPROX. LANTERN PEAK

TILE ROOF

FAUX MARBLE COLUMNS

SMOOTH STUCCO FINISH

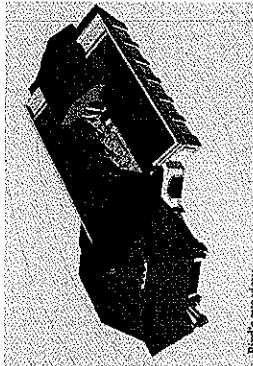
STUCCO TRIM & DETAILING

FINISH GRADE

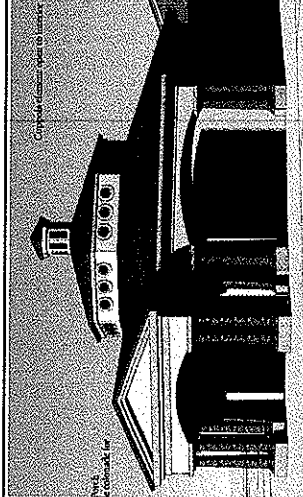
**Northwest Elevation**



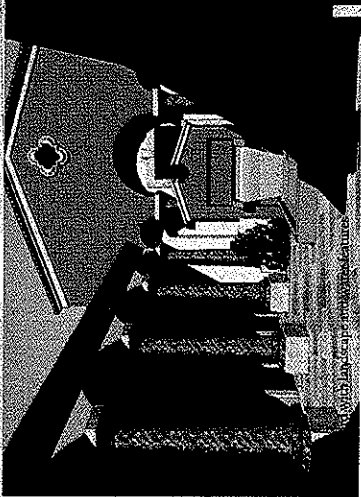
**Southwest Elevation**



Bird's eye view

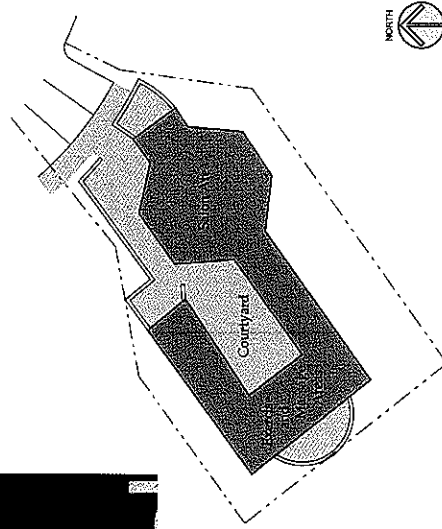


Actual Entry Photo  
w/ Bartram's Coremark for  
Final Lot



Building entrance with peak view to courtyard

\*Adoptive Temple type structure at end of  
Courtyard. This covers both to complete the  
pattern in the project beyond. The Roman  
villa position to appear in the middle of the group.



2,090 SQUARE FEET

**Conceptual Floor Plan**

Not to Scale



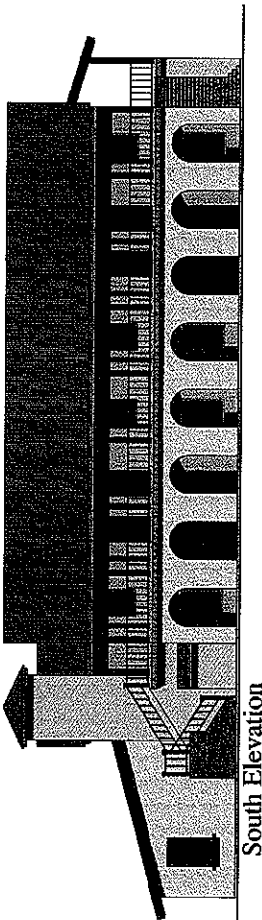
**Conceptual Elevations**

Not to Scale

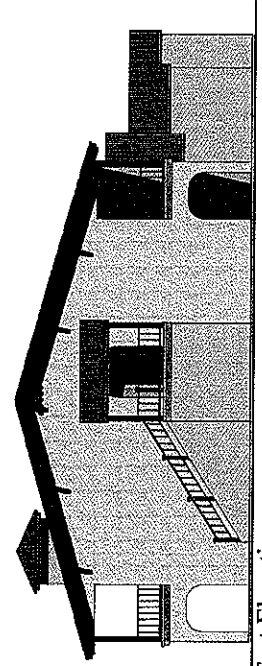
**DESTINO PASO**

**Health Spa**  
Tract 2962  
Paso Robles, California

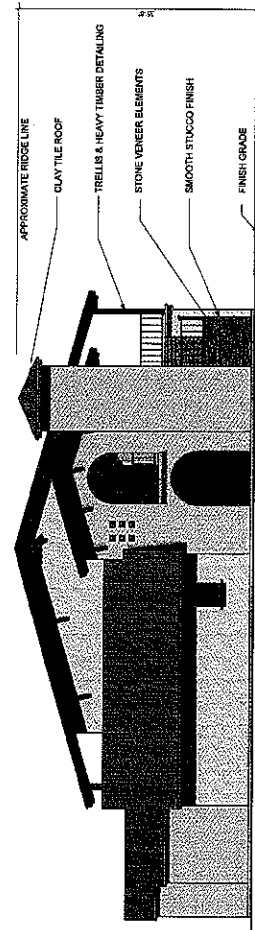
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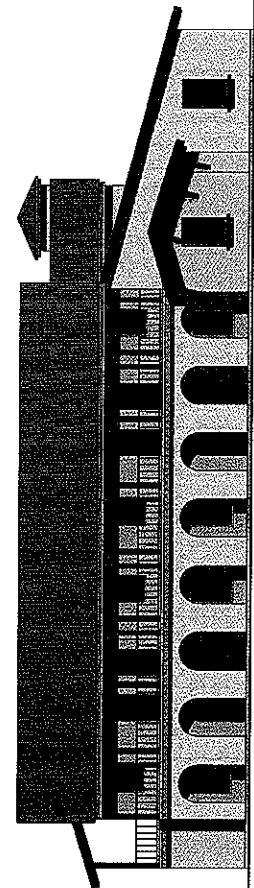
South Elevation



East Elevation

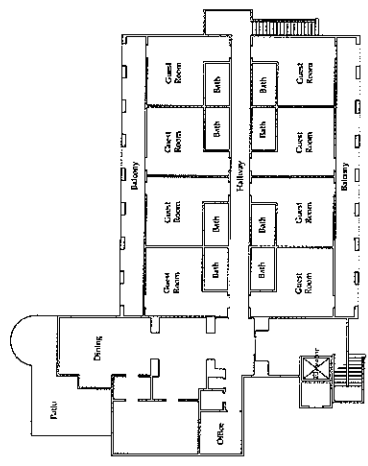


West Elevation



North Elevation

Conceptual Elevations  
Not to Scale



Conceptual Floor Plan  
Not to Scale



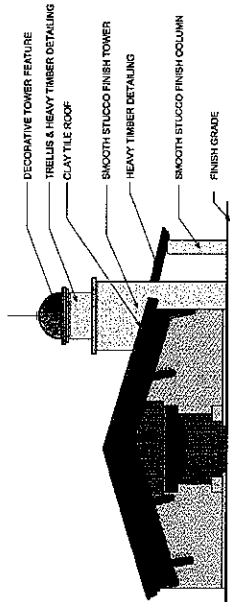
2,000 SQUARE FEET

**DESTINO PASO**

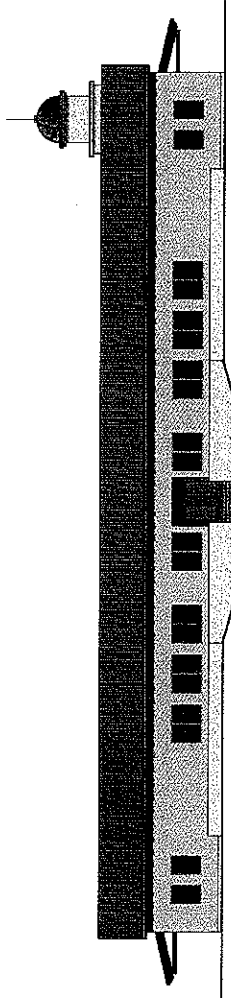
Boutique Hotel  
Tract 2962  
Paso Robles, California



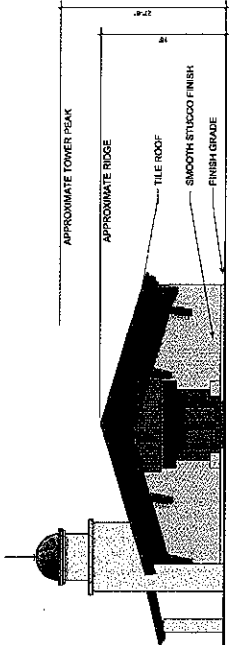
South Elevation



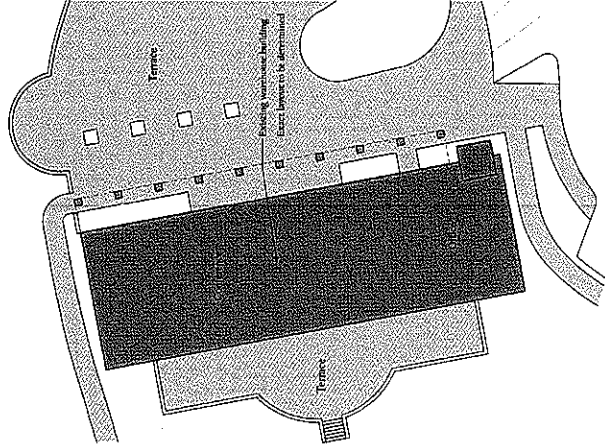
West Elevation



North Elevation



East Elevation



5,000 SQUARE FEET

Conceptual Floor Plan



**DESTINO PASO**

Poolside Event Pavilion

Tract 2962

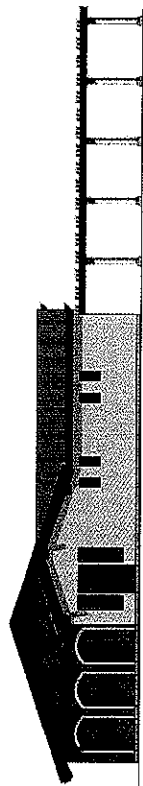
Paso Robles, California

Conceptual Elevations

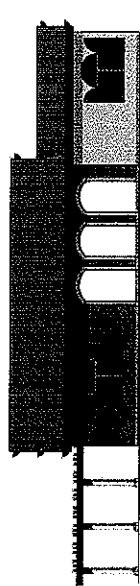
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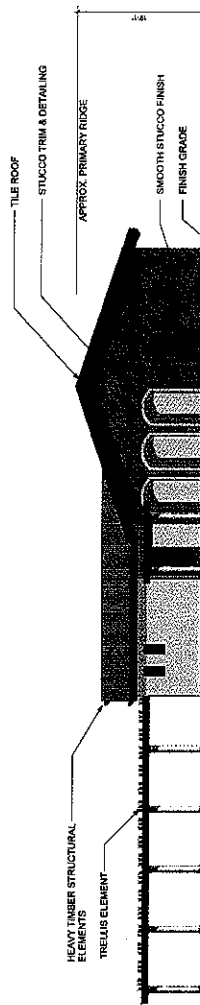
East Elevation



South Elevation



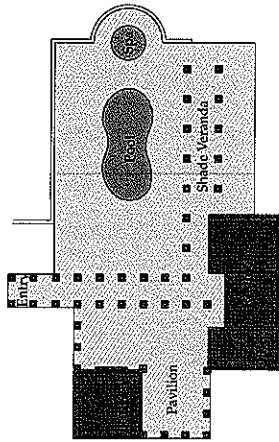
West Elevation



North Elevation

Conceptual Elevations

Not to Scale



SJKR K.L.

Conceptual Floor Plan

Not to Scale

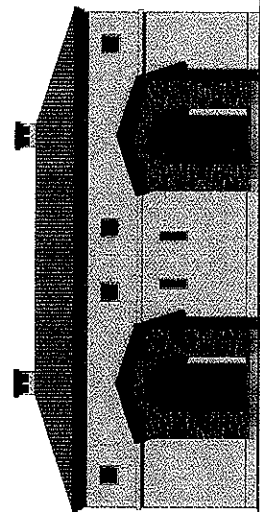
**DESTINO PASO**

Recreation Area / Pool / Pool House

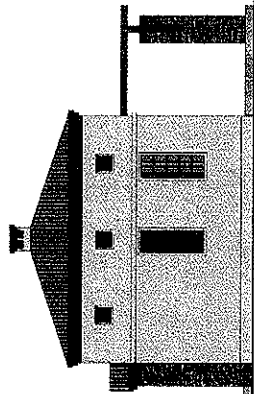
Tract 2962

Paso Robles, California

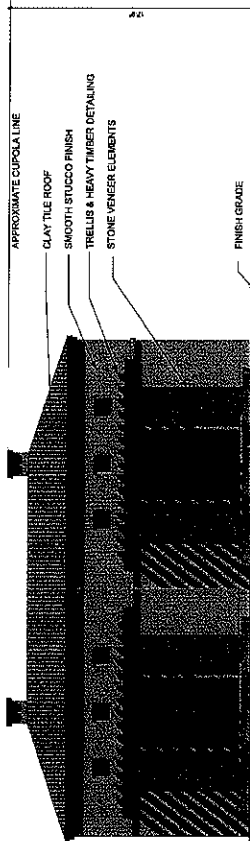
7



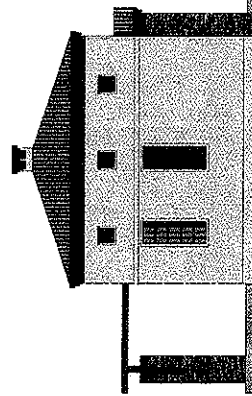
Front Elevation



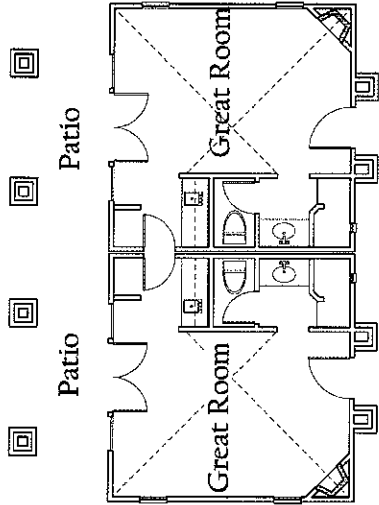
Right Elevation



Rear Elevation



Left Elevation



Conceptual Floor Plan  
Not to Scale

(2) 324 s.f. units

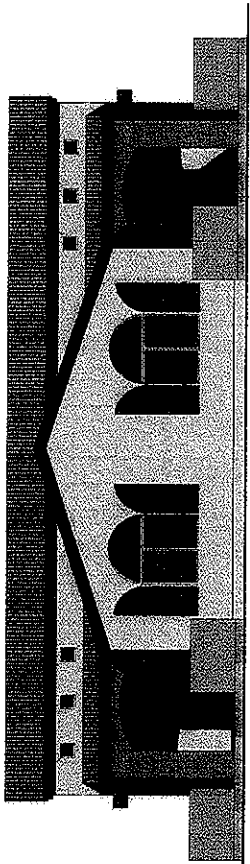
**DESTINO PASO**

Visitor Lodging  
Building Type A

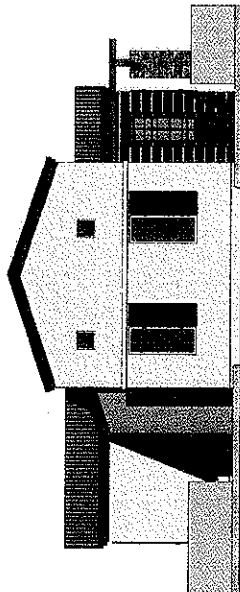
Tract 2962  
Paso Robles, California

Conceptual Elevations  
Not to Scale

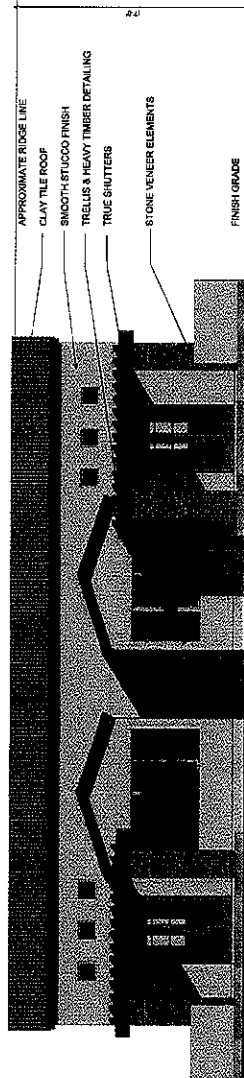




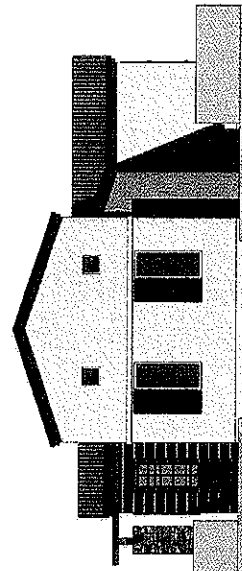
Front Elevation



Right Elevation

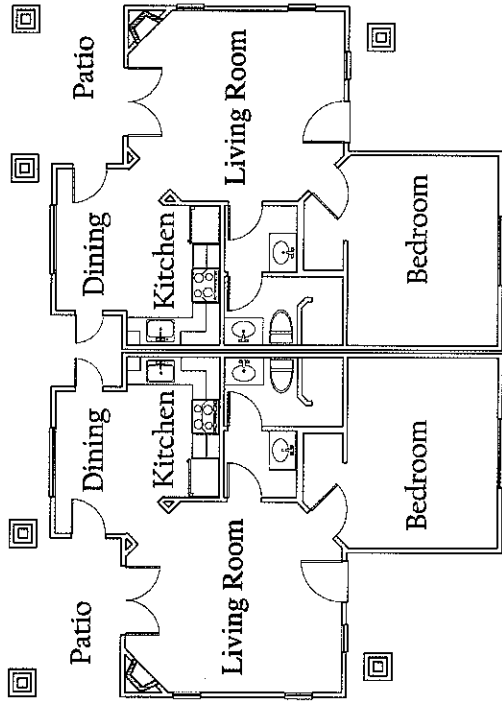


Rear Elevation



Left Elevation

Conceptual Elevations  
Not to Scale



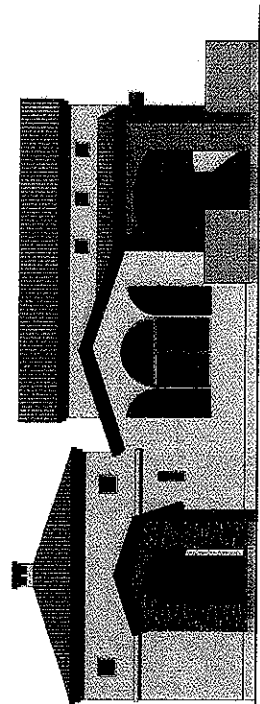
Conceptual Floor Plan  
Not to Scale

(2) 625 s.f. units

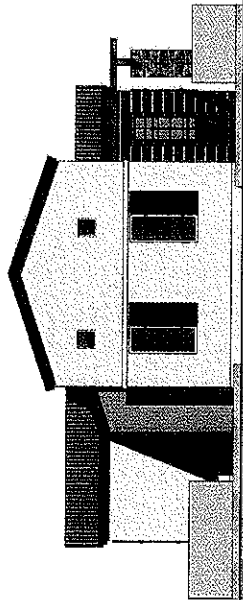
**DESTINO PASO**

Visitor Lodging  
 Building Type B

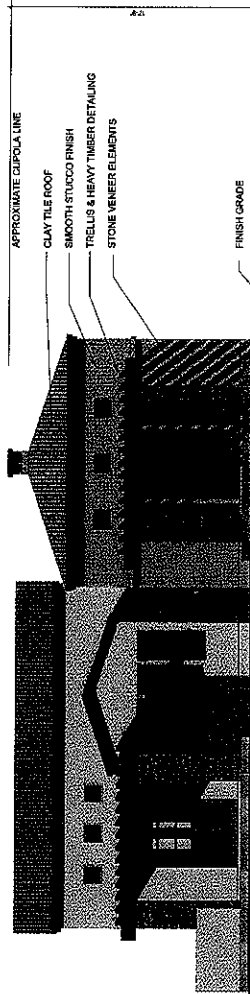
Tract 2962  
 Paso Robles, California



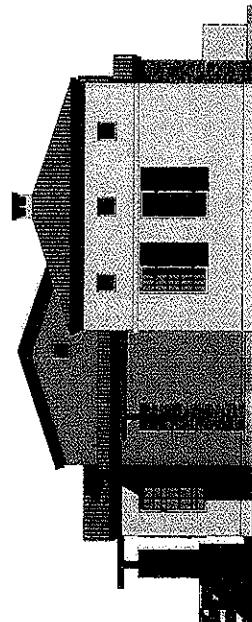
Front Elevation



Right Elevation

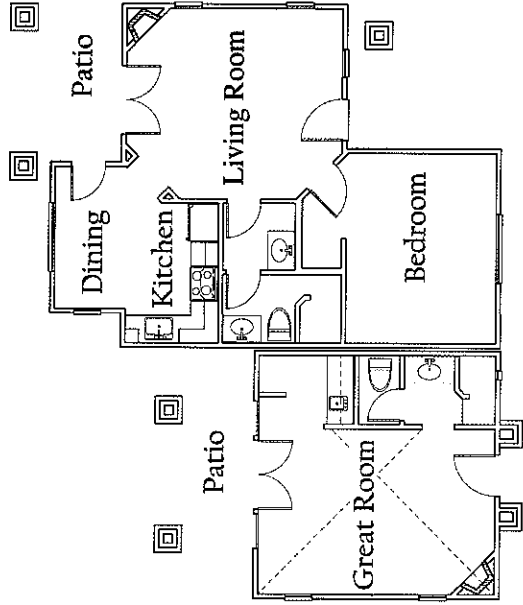


Rear Elevation



Left Elevation

Conceptual Elevations  
Not to Scale



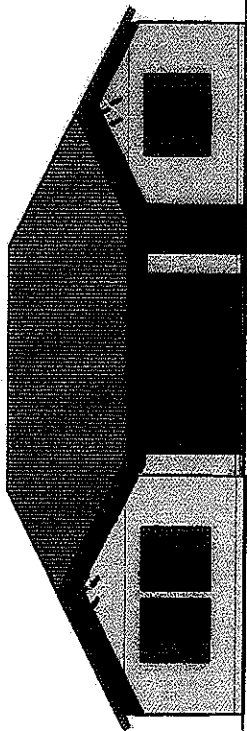
Conceptual Floor Plan  
Not to Scale

(1) 324 s.f. Unit, and (1) 625 s.f. Unit

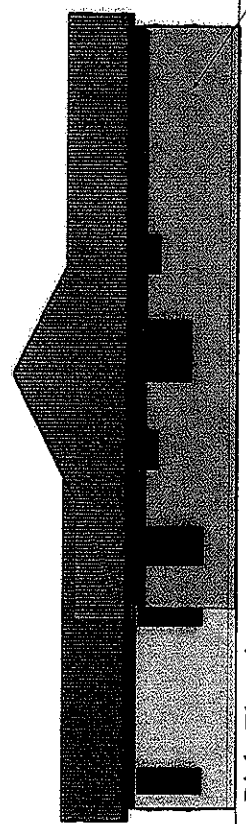
**DESTINO PASO**

Visitor Lodging  
Building Type C

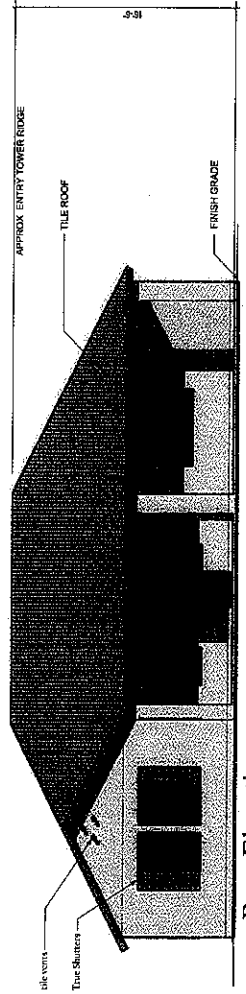
Tract 2962  
Paso Robles, California



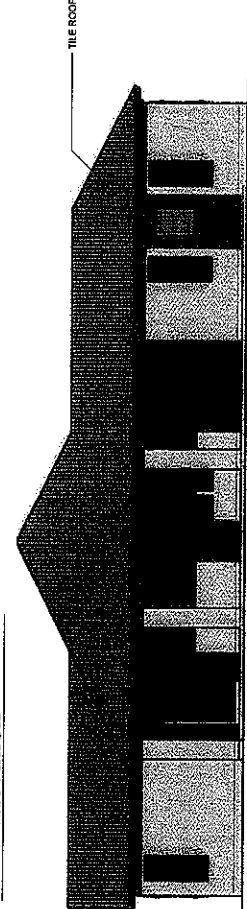
Front Elevation



Right Elevation

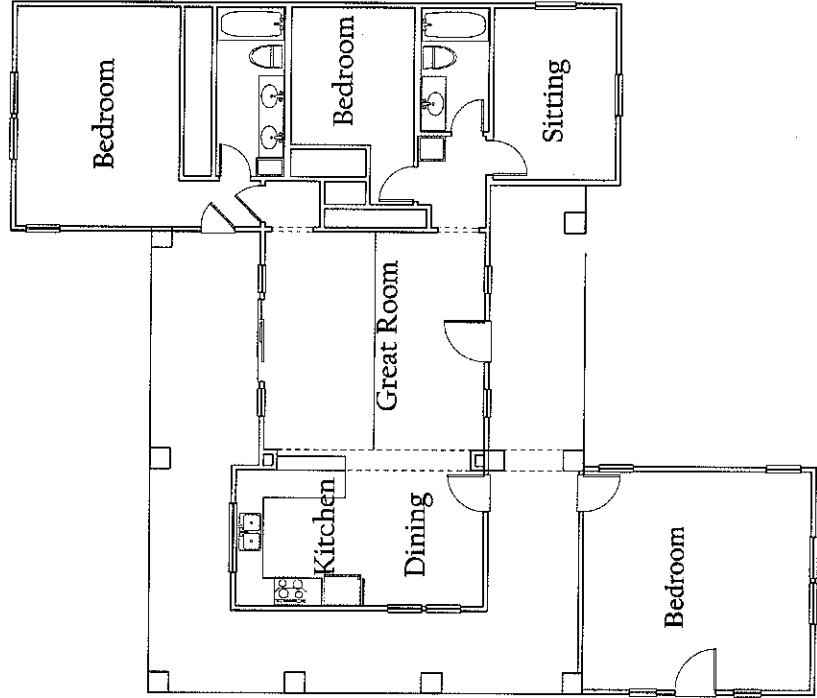


Rear Elevation



Left Elevation

Conceptual Elevations  
Not to Scale



Conceptual Floor Plan  
Not to Scale

1,195 s.f.



DESTINO PASO

Existing Residence Conversion

Tract 2962

Paso Robles, California



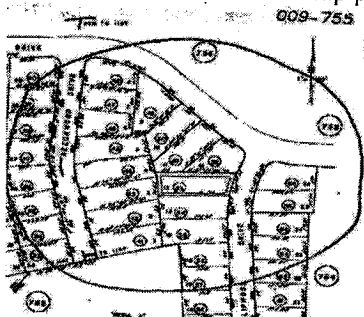
**CITY OF EL PASO DE ROBLES  
COMMUNITY DEVELOPMENT DEPARTMENT  
APPLICATION GUIDE FOR MAJOR DEVELOPMENT**

(805) 237-3970  
1000 Spring Street  
Paso Robles, CA. 93446

In order to submit an application that will be processed and scheduled for public hearing, the below information/items must be submitted. These items are the minimum requirements and additional information and plans may be required to process your application after staff has reviewed your project. An application will be considered incomplete if any of the submittal requirements are not submitted with an application.

**General Requirements for All Applications**

- 1. **COMPLETED APPLICATION FORM:** Must include property owner's signature on form
- 2. **PROJECT DESCRIPTION:** A letter that clearly and completely explains the proposal. If the applicant wishes to request a modification of zoning code requirements, it is necessary to include a statement listing all of the zoning code requirements that are proposed or modified, and the reasons why the City should consider approval of these modifications. If the application involves a General Plan Amendment or Rezone, the applicant should include a written statement explaining the reasons for the proposed amendment and/or rezone, the desired land use category, the ultimate type of development envisioned, and how it would provide benefit to the community.
- 3. **ENVIRONMENTAL INFORMATION FORM:** Completely filled out with applicant's signature. Depending on location and circumstance, staff may request additional environmental information such as special traffic analysis, biological studies, historical inventories, etc. It also may be necessary for your project to separately contact agencies such as U.S. Dept of Fish and Game, Caltrans, Federal Emergency Management Association (FEMA), etc. If you feel this may apply to your project, it is recommended to contact the Planning Division before speaking with these agencies.
- 4. **DEPOSIT:** As required by the City's Fee Resolution and as applicable. Additional funds may be required depending upon the scale of the project.
- 5. **ADDRESS LABELS:** City and State codes require that public notice for a public hearing be mailed ten (10) days in advance of the hearing. The applicant may contact a Title or Data Company to have these prepared. If the applicant wishes to prepare the labels him/herself, then the following should be submitted:
  - a. **Two (2) sets of typed mailing address labels** which include addresses of owners of all properties located within a 300 foot radius of the exterior property lines of your project site as shown on the latest County Assessor's Tax Rolls. An example of the 300 foot radius and the mailing address label is shown below. In this example, the APN for the site is 009-755-053. The first three numbers indicate the Book, the second three indicate the page, and the last three indicate the parcel. Please note that the 300 foot radius extends onto Assessor's Map pages 009-756, 009-753, 009-754, and 009-752.



009-451-019  
John and Jane Doe  
634 Main Street  
Anytown, CA 93000

- b. Include **four (4)** labels each for the property owner of the site, and the applicant and representative (if any).
- c. The applicant must submit the attached "Certified Property Owners List," that the labels contain all owners of property within 300 feet as they appear on the latest County Assessor's Tax Roll.
- d. Must sign Certified Property Owner List confirmation sheet

6. **TITLE REPORT:** Two (2) copies dated no earlier than 6 months prior to the application filing date.

7. **SCANNED COPIES OF THE PROJECT DESCRIPTION, SITE PLAN, AND ELEVATIONS:** For purposes of the City website, the project description, site plan, and elevations must be submitted electronically in PDF format (JPEG is also acceptable) on either a 3.5 inch disk or an IBM compatible CD.

### Drawing Requirements for All Applications

8. **Nine (9) full size copies** of the individual Site Plan and **Four (4) full size copies** of all other plans are required for the initial review of the project. Additional plans will need to be submitted after staff has reviewed the project.

Application Type	Drawing Requirements							
	Plot Plan	Site Plan	Landscaping	Elevation	Colorboard	Preliminary Grading and Drainage	Tentative Tract/ Parcel Map	Residential PD requirements
Minor Conditional Use Permit	X							
Major Conditional Use Permit		X	X	X	X	X		
Commercial/Industrial Planned Development		X	X	X	X	X	X	
Residential Planned Development		X	X	X	X	X	X	X
Tentative Tract /Parcel Map					X	X	X	
Abandonment		X						
General Plan Amendment/Rezone		X	X	X	X	X		
Variance/Waiver	X							

9. **DRAWING REQUIREMENTS FOR ALL PLANS (EXCEPT PLOT PLANS):** All drawings must contain clear, legible, accurate, and complete information that conforms to all City codes and policies:

- a. Two (2) 8 1/2" x 11" reductions for all pages
- b. Scale: Engineering scales **1"=10' through 1"=40'** may be used. Small scales such as 1"=100' may only be used on an overall site plan for a large project to fit on a 24 x 36" sheet. Architectural scales are not acceptable.
- c. Size: Unless absolutely necessary, **no sheet shall be larger than 24" x 36"**. If multiple sheets are necessary, each sheet shall show overlap, match lines and an index map.
- d. North Arrow: Each sheet shall have a north arrow.
- e. Vicinity Map: A small vicinity map shall be provided to indicate the project's location.
- f. Applicant / Owner: Show name and mailing address.
- g. Project Representative: Show name, mailing address, and contact phone number.
- h. Project Summary: A listing of pertinent facts about the project such as gross floor area (commercial and industrial building), number of dwelling units and number of bedrooms per dwelling unit (multiple family residential projects), number of off-street parking spaces and net site area.

- i. Property Lines: Show existing property lines and any proposed new property lines to result from lot line adjustments and/or dedications.
- j. Streets and alleys: Show centerline, curbs, gutters, sidewalks, edge of paving (if there are no curbs or gutters).
- k. Easements: Show existing and proposed easements, including off-site easements which serve the site; indicate purpose of all easements.
- l. Buildings and Structures: Show footprints of all existing and proposed structures. Note if any existing buildings and structures are to be removed.
- m. Parking Spaces and Lots: Show parking lots, including all loading spaces and drives.
- n. Sidewalks: Including on-site walkways.
- o. Special Areas: Outdoor storage, playgrounds, etc.
- p. Trash Enclosures: Show footprints
- q. Electrical Transformer Boxes: Show footprints.
- r. Walls and Fences: Show heights (including retaining height) and materials.
- s. Light Standards.
- t. Existing Contours: 2' intervals are required except where slope is too steep to provide a clear drawing (generally at 30%); then show 5' intervals. Contours shall conform to the datum system established by the City's benchmark system. Contours shall be extended 100 feet beyond the boundaries of the site to show adjacent drainage patterns and lot elevations.
- u. Flood Zone: 100 year and floodway boundaries
- v. Existing Trees: Show species and trunk diameter. For all oak trees with diameters of 3" or greater, show horizontal extent of dripline. Identify all trees which are proposed for removal and provide a letter which states the reason for the removal of each tree. Please contact staff if project contains large forested areas.
- w. Watercourses: Show watercourses, 100 year flood zones, and floodway boundaries per the 1981 Flood Insurance Study.
- x. Fire Hydrants.
- y. Power and Telephone Poles: Show location of existing overhead utility poles adjacent to or across from site.

## Additional Drawing Requirements

- 10. **PLOT PLANS** – Does not need to include all the drawing requirements for Site Plans, but should include property lines, adjacent streets and alleys, building footprints, tenant spaces, parking spaces, and any other information necessary to clearly explain the proposal. Drawings must be drawn to scale and clearly readable. If the information can be clearly shown on an 8 ½" x 11" sheet, only one copy needs to be submitted. If larger sheets are necessary, 11 copies of the larger sheet plus an 8 ½" x 11" reduction are required.
- 11. **SITE PLANS** – Must include drawing requirements listed above for all plans
- 12. **LANDSCAPE PLANS** – to include drawing requirements for all plans plus the following:
  - a. Landscaping Materials: Show both new materials and existing materials that are proposed to remain on site.
    - 1) Trees: Note species/common names, caliper/diameter, and, for oaks with diameters of 6" or greater, show the horizontal extent of the dripline;
    - 2) Shrubs: Note species/common name and spacing;
    - 3) Groundcover: Note species/common name and spacing.
  - b. Proposed irrigation system: Either plot irrigation lines or indicate by note that all landscaped areas will be irrigated;
  - c. Graded Slopes: Show horizontal limits of cut/fill slopes.

**13. ELEVATIONS -**

- a. Views: All side of all buildings shall be shown. Elevations shall be listed by compass direction (North, East, South, West). "Front", "Rear", "Right" and "Left" labels are not acceptable as they are confusing.
- b. Materials: All exterior materials shall be called out.
- c. Colors: all colors shall be called out and shown on a colorboard (e.g. paint samples)
- d. Treatment/Textures: Special treatments (e.g. slumpstone, stamped concrete, etc.) shall be called out.
- e. Heating, Ventilating and Air Conditioning (HVAC) Equipment: The plans shall indicate where the HVAC equipment is to be placed and how it is to be screened.
- f. Gas and Electric Meters: For multiple family residential, commercial, an industrial projects, the plans shall indicate where these meters are to be placed and how they will be screened.
- g. Signs: Show materials and colors. Indicate if illuminated (internally or externally). Sign dimensions shall be called out.
- h. Trash Enclosures: Show materials, colors, dimensions, and enclosing gates.
- i. Directories, Mailboxes Structures, Light Standards: Show materials, colors and dimensions.

**14. PRELIMINARY GRADING AND DRAINAGE – to include all drawing requirements for all plans plus the following:**

- a. Proposed Grading and Drainage Improvements: show the following:
  - 1) Cut and fill: Show and state the quantities of cut, fill, and import or export in cubic yards. May be shown via “crows feet” (which will be assumed to represent 2:1 slopes unless otherwise indicated) or with the new contours in heavy lines.
  - 2) Drainage structures (drop inlets, swales, detention basins, etc.);
  - 3) New Elevations (finished floor, paving high points, bottom of curb, etc.) of buildings, walls paving;
  - 4) Cross sections shall be provided in the following instances:
    - o Where the grading is proposed beneath or within 5 feet of the dripline of any oak tree; more than one cross section view through each tree may be required
    - o Through proposed buildings and building pads, more than one cross section view may be required for each building;
    - o Where the grading is proposed adjacent to the boundary of a building site, tract or parcel map, typical grading situations may be represented by one cross section view;
    - o When natural slopes between the street and a garage or parking area are 15% or greater, typical grading situations may be represented by one cross-section view; and
    - o For Tentative Tract Maps and Development Plans, show several cross sections through the site, with exaggerated vertical scale, to give a complete picture of the effect of grading. The cross sections shall show areas with the greatest amount of grading (worst cases).
- b. Sewer and Septic Improvements: Show sewer mains (show size and gradients), manhole locations (show invert locations), lift stations, and septic tanks and leach fields.
- c. Water System Improvements: Show water mains (size and location), location of water meters (for multiple residential, commercial, and industrial units), fire hydrants, and existing wells.

**15. TENTATIVE TRACTS AND PARCEL MAPS – to include drawing requirements for all plans plus the following:**

- a. Licensed Engineer or Surveyor Who Prepared Map: Show name, license number, mailing address and phone number.
- b. Legal Description: place under tract or parcel number; Begin with “Being a subdivision of...”
- c. Tract or Parcel Number
- d. Subdivision Boundaries: Show tract or parcel map boundaries with a heavy line; dimension all boundaries.
- e. Lot Lines: Show proposed lot lines with solid light lines; show existing (underlying) lot lines with dashed light lines; show dimensions for all lot lines; show corner radii;
- f. Lot Numbers: Assign a number to all lots;

- g. Lot sizes: Indicate on all lots
- h. Street Lines: Show centerline, existing right-of-way lines, dedications or offers to dedicate; dimension all widths for all interior and abutting streets;
- i. Street Cross Sections: Show a cross section detail for all interior and abutting streets;
- j. Street Names: Show names of existing streets and label all proposed interior streets with letters (e.g. "A" Street, "B" Court, etc.). All street names will be assigned by the Planning Commission prior to final map approval; a list of suggested street names may be submitted with the tentative map;
- k. Street Gradients: Indicate the approximate gradient of all streets.
- l. Adjacent Properties: Show names of owners and all record information (numbers of tracts, parcel maps, certificates of compliance, records of surveys, easements, etc.) for all surrounding properties.
- m. Sewer and Water Mains: Show locations and size of existing sewer and water mains to be connected to the tract's or parcel map's lots; show location of lift stations if proposed/required; show any existing septic systems and wells.
- n. Storm Water Detention Basins: Show area of any proposed detention basins.
- o. Acreage: Indicate the acreage of the tract or parcel map (after any dedications for streets along the perimeter of the subject property) to the nearest 1/100 acre.
- p. Phases: Please identify development phasing plan for installation and construction of public improvements and development construction. It is city policy that a subdivision may not be signed off until all improvements are completed for that phase. For this reason, it may be in your best interest to have smaller phases.
- q. Final Map Recordation: If the subdivision is approved, the applicant is required to submit a copy of the final map after recordation with the county clerk in the latest AutoCAD format.

- 16. **COMMERCIAL / INDUSTRIAL PLANNED DEVELOPMENT** – Please indicate sewer and water use projections for all commercial and industrial development
- 17. **RESIDENTIAL PLANNED DEVELOPMENT** – see handout entitled “Drawing Requirements for Residential Planned Development



RESOLUTION NO: \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF EL PASO DE ROBLES  
APPROVING CONDITIONAL USE PERMIT 08-002  
(DESTINO PASO - HANDLEY)  
APN: 025-436-029 & 030

WHEREAS, according to Table 21.16.200, Permitted Use Table, transient lodging, including hotels and motels are permitted in the POS zoning district with the approval of a Conditional Use Permit (CUP) by the Planning Commission; and

WHEREAS, Conditional Use Permit 08-002 along with PD 08-002 has been filed by North Coast Engineering on behalf of Jerry and Katherine Handley for the construction and operation of a resort project consisting of 291 hotel and casitas rooms, including accessory uses such as restaurant, spa, conference center, trails, pools, parking lots and other accessory uses; and

WHEREAS, the project is located at 3340 & 3350 Airport Road; and

WHEREAS, a public hearing was conducted by the Planning Commission on February 10, 2009, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed Conditional Use Permit; and

WHEREAS, an Initial Study was prepared for this project in accordance with the California Environmental Quality Act (CEQA) and a Mitigated Negative Declaration was approved by the Planning Commission on February 10, 2009; and

WHEREAS, based upon the facts and analysis presented in the staff report and the attachments thereto, the public testimony received, and subject to the Conditions of Approval listed below, the Planning Commission makes the following findings:

1. The establishment, maintenance or operation of the requested uses applied for, will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, since the project has gone through the development review process including, environmental review and the processing of a Conditional Use Permit as required by Table 21.16.200 for hotel and motel facilities in the POS zoning districts; and
2. The proposed use will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City, since the project will be required to comply with the recommended conditions of approval, including any environmental mitigation measures, and comply with any building and fire codes; and

3. The proposed use as conditioned would meet the intent of the General Plan, Zoning Ordinance and Economic Strategy by providing end-destination resort projects in the POS land use and zoning districts.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 08-002 subject to the following conditions:

STANDARD CONDITIONS

1. The applicant shall comply with all those standard and site specific conditions which are contained in the Resolution and its exhibits approving Planned Development 08-002, Tentative Tract Map 2962 and associated Mitigated Negative Declaration.

SITE SPECIFIC CONDITIONS

1. Conditional Use Permit 08-002, along with Development Plan for PD 08-002, allows for the approval of the master plan for allowing for the development and operation of a resort facility containing a total of 116 hotel rooms and 172 casitas rooms (total 288 units) with a restaurant, spa facility and other ancillary uses. The project will be phased as follows:

- Phase I: 15 casitas units;  
1,000 sf office & housekeeping;  
4,000 sf conference area;  
5,000 sf recreation building (pool & pool house)
- Phase II: 86casitas units
- Phase III: 3,000sf spa building
- Phase IV: 5,700sf restaurant
- Phase V: 50 room Hotel
- Phase VI: 16 room boutique hotel
- Phase VII: 46 casitas units
- Phase VIII: 50 room hotel
- Phase VIII: 24 casitas units

**Note: request to change any of the above noted phasing will require the approval of the Development Review Committee (DRC).**

2. Special events beyond typical resort activities shall be reviewed by the Planning Dept. to insure compliance with the Zoning Code and ALUP. The Police Department shall also review the activities. The number of people per acre shall be in compliance with the maximum density identified by the ALUP.
3. Any condition imposed by the Planning Commission in granting this Conditional Use Permit may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring

properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the Conditional Use Permit.

4. All on-site operations shall be in conformance with the City's performance standards contained in Section 21.21.040 and as listed below:
  - a. Fire and Explosion Hazards. All activities involving, and all storage of, inflammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and adequate firefighting and fire-suppression equipment and devices standard in industry and as approved by the fire department. All incineration is prohibited.
  - b. Radioactivity or Electrical Disturbance. Devices that radiate radio-frequency energy shall be so operated as not to cause interference with any activity carried on beyond the boundary line of the property upon which the device is located. Further, no radiation of any kind shall be emitted which is dangerous to humans. All radio transmissions shall occur in full compliance with Federal Communications Commission (FCC) and other applicable regulations.
  - c. Noise. No land use shall increase the ambient noise level as measured at the nearest residentially zoned property line to a level that constitutes a public nuisance.
  - d. Vibration. No vibrations shall be permitted so as to cause a noticeable tremor measurable without instruments at the lot line.
  - e. Smoke. Except for fireplaces and barbecues, no emission shall be permitted at any point from any chimney which would constitute a violation of standards established by the San Luis Obispo County Air Pollution Control District (APCD).
  - f. Odors. Except for fireplaces and barbecues, no emission shall be permitted of odorous gases or other odorous matter in such quantities as to constitute a public nuisance.
  - g. Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution. No emission shall be permitted which can cause damage to health, animals, vegetations or other forms of property, or which can cause any excessive soiling at any point. No emissions shall be permitted in excess of the standards established by the San Luis Obispo County Air Pollution Control District (APCD).
  - h. Glare. No direct glare, whether produced by floodlight, high-temperature processes such as combustion or welding or other processes, so as to be visible from any boundary line of the property on which the same is produced shall be permitted. Sky-reflected glare from buildings or portions thereof shall be so controlled by reasonable means as are practical to the end that said sky-reflected glare will not inconvenience or annoy persons or interfere with the use and enjoyment of property in and about the area where it occurs.

- i. Liquid or Solid Wastes. No discharge shall be permitted at any point into any public sewer, private sewage disposal system or stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, except in accord with standards approved by the California Department of Health or such other governmental agency as shall have jurisdiction over such activities. Manufacturing, processing, treatment and other activities involving use of toxic or hazardous materials shall be designed to incorporate the best available control technologies and wherever technically feasible shall employ a "closed loop" system of containment.
  
- j. Transportation Systems Impacts. Vehicular, bikeway and/or pedestrian traffic, directly attributable to the proposed land use, shall not increase to a significant extent without implementation of adequate mitigation measures in a form to be approved by the city engineer. In determining significance of impacts, consideration shall be given to cumulative (projected build-out) capacity of streets and highways serving the land use. Mitigation measures required may include but not be limited to curb, gutter, sidewalk, street and/or alley, bikeway, transit related improvements and traffic signalization. Mitigation may be required as pursuant to the California Environmental Quality Act (CEQA), or as a condition of a discretionary review. (Ord. 665 N.S. § 28, 1993; (Ord. 405 N.S. § 2 (part), 1977)

PASSED AND ADOPTED THIS 10<sup>th</sup> day of February, 2009 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIRMAN CHARLES TREATCH

ATTEST:

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RON WHISENAND, PLANNING COMMISSION SECRETARY

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO GRANT TENTATIVE MAP APPROVAL FOR  
VESTING TENTATIVE TRACT 2962  
(DESTINO PASO - HANDLEY)  
APN: 025-436-029 & 030

WHEREAS, Tract 2962 has been filed by North Coast Engineering on behalf of Jerry and Katherine Handley, to subdivide a 40.3-acre property into 9 lots ranging in size from 1.81-acre to 10.86-acre parcels, for the Destino Paso resort development; and

WHEREAS, Tract 2962 also includes a condominium map that would create 58 air-space condominium units that includes 175 individual casitas units; and

WHEREAS, the Destino Paso project is located at 3340 & 3350 Airport Road, which is on the east side of Airport Road, just north of the Wine Country RV Park; and

WHEREAS, in conjunction with the Tract 2962, Planned Development 08-002 & Conditional Use Permit 08-002 have been submitted to establish development standards for the resort; and

WHEREAS, an Initial Study was prepared for this project in accordance with the California Environmental Quality Act (CEQA) and a Mitigated Negative Declaration was approved by the Planning Commission on February 10, 2009 by separate resolution, and

WHEREAS, a public hearing was conducted by the Planning Commission on February 10, 2009 to consider facts as presented in the staff report prepared for the vesting tentative tract map, and to accept public testimony regarding the application; and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings as required by Government Code Sections 66474 and 65457:

1. The proposed tentative tract map is consistent with the adopted General Plan and Zoning Code for the City of El Paso de Robles by providing the opportunity for an end-destination resort projects located in the Parks and Open Space designated areas of the City;
2. The design of lots, streets, open space, drainage, sewers, water and other improvements is consistent with the General Plan and Zoning Ordinance;
3. The site is physically suitable for the type of development proposed;
4. The site is physically suitable for the proposed density of development;

5. The design of the land division is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
6. The design of the land division and types of improvements proposed are not likely to cause serious public health problems;
7. The design of the land division and the type of improvements proposed will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby grant tentative map approval for Vesting Tentative Tract 2962 subject to the following conditions of approval:

STANDARD CONDITIONS OF APPROVAL:

1. The applicant/developer shall comply with those standard conditions which are indicated as applicable in "Exhibit A" to this resolution.
2. The project shall comply with all conditions of approval in the resolutions granting approval to Planned Development 08-002 & Conditional Use Permit 08-002 and exhibits. In the event that either the tract, conditional use permit or development plan is not approved, the approval of one plan does not automatically grant approval of the other.
3. This project approval shall expire on February 10, 2011, unless a time extension request is filed with the Community Development Department prior to expiration.

SITE SPECIFIC CONDITIONS OF APPROVAL:

NOTE: In the event of conflict or duplication between standard and site specific conditions, the site specific condition shall supersede the standard condition.

COMMUNITY DEVELOPMENT SITE SPECIFIC CONDITIONS:

NOTE: In the event of conflict or duplication between standard and site specific conditions, the site specific condition shall supersede the standard condition.

4. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Standard Conditions
B	Cover Sheet
C	Vesting Tentative Tract Map

D	Site and Phasing Plan
E	Preliminary Grading & Drainage Plan - West
F	Preliminary Grading & Drainage Plan - East
G	Preliminary Underground Plan – West
H	Preliminary Underground Plan – East
I	Site Cross Sections

5. This Tentative Tract Map 2962 coincides with Planned Development 08-002 and Conditional Use Permit 08-002 and authorizes the subdivision of a 40.3-acre parcel into a 9-lot ranging in size from 1.81-acre to 10.86-acres. The map would also allow for the creation of 58 air-space condominium lots. The 58 lots would consist of 58 buildings where each building would have one to four casitas, for a total of 175.
6. The Final Subdivision Map shall be in substantial compliance with Exhibits B & I, (reductions attached; full size copies are on file in the Community Development Department) and site specific and standard conditions of approval contained in this resolution.
7. Prior to the approval of the final map, in conjunction with the street improvement plans, the street tree plan shall be reviewed and accepted by the Public Works Department. All necessary irrigation shall be shown on the plan.
8. Prior to or in conjunction with the recording of Tract 2962, a constructive notice shall be recorded against each parcel notifying future property owners that Planned Development 08-002 and CUP 08-002 have been approved for the development which establishes architectural, landscape and site development standards. In addition, constructive notice shall be recorded that notifies future property owners that a Master Developer and Resort Operator Agreement will be in place that will require future property owners to give all control of Resort operations and Management to the Master Developer and Resort Operator.
9. Prior to the issuance of building permits for each phase of the casitas units, the developer shall record the condominium map corresponding with that phase. Prior to or in conjunction with the recordation of any phased condominium map, a constructive notice shall be recorded against each condominium notifying future owners that a Master Developer and Resort Operator Agreement will be in place that will require future property owners to give all control of Resort operations and Management to the Master Developer and Resort Operator.

10. Prior to or in conjunction with the recordation of the final map, a Constructive Notice shall be recorded on each parcel/condominium unit, to inform future owners and/or investors of this project of the following conditions:
- a. Planned Development 08-002 has been approved for the development which establishes architectural, landscape and site development standards for each phase;
  - b. A Master Developer and Resort Operator is established and shall require agreements with future property owners governing all development, operations and maintenance of the resort;
  - c. Conditional Use Permit 08-002 has been approved establishing the operational requirements for the project;
  - d. Each phase shall comply with the Master Site Plan review process for review and approval by the Development Review Committee (DRC). A determination by the DRC shall be made that each phase is in substantial compliance with the project Destino Paso Design Guidelines and all other exhibits as outlined in the resolution approving PD 08-002 & CUP 08-002;
  - e. Kitchen facilities for hotel or casitas units shall be limited to “kitchenettes” and may include a sink, microwave, and beverage refrigerator and stoves and ovens are prohibited;
  - f. Each hotel or casitas unit shall be subject to Chapter 5.06 of the City of Paso Robles Municipal Code and shall be subject to compliance with requirements to pay Transient Occupancy Tax. The notice shall also state that the maximum length of stay for each lodging unit shall be limited to a period of thirty consecutive days or less;
  - g. Prior to the issuance of building permits for each phase of the casitas units, the developer shall record the condominium map corresponding with that phase;
  - h. San Jaoquin Kit Fox mitigation fees shall be paid prior to the issuance of a grading permits. If the grading is phased, the Kit Fox mitigation fees shall be paid in accordance with the Grading Sequencing Exhibit included in the Destino Paso Development booklet.
  - i. Prior to the recordation of the final map, the following details/plans shall be submitted for review by the DRC:
    - Master fencing plan for the resort which indicates the various fencing/decorative wall types that will be used throughout the project.
    - Drought tolerant landscape and irrigation plan for all outdoor areas.
    - Exterior lighting plan for exterior building walls and site lighting, including light fixture elevations (cut-sheets and specifications) type of fixtures, height including



light standard and base, and photometric light plan including individual fixture and foot-candle specifications.

10. Prior to the recordation of the final map, an avigation easement shall be recorded in a manner acceptable to the Airport Manager.
11. In the event that buried or otherwise unknown cultural resources are discovered during construction work in the area of the find, work shall be suspended and the City of Paso Robles should be contacted immediately, and appropriate mitigations measures shall be developed by qualified archeologist or historian if necessary, at the developers expense.

### **Engineering Site Specific Conditions**

12. Hydro-modification mitigation shall be provided in accordance with the City's storm water management ordinance at the time of development. Low impact development best management practices shall be incorporated into the project grading plans in accordance with City standards at the time of permitting.
13. The project will be subject to traffic impact and other development impact fees in effect at the time of occupancy of the project. Traffic mitigation will include the deposit of \$1,600,000 towards construction of a bridge over the Huer Huero proportionally applied to the incremental development of the project. When transportation impact fees are updated by council action, the final fee obligation shall be equal to that defined by the new fee structure.
14. Prior to occupancy of Phase One improvements, Airport Road shall be constructed in general conformance to the preliminary plans. Further improvements extending to the southerly boundary should be reviewed for feasibility and if feasible, shall be constructed in accordance with plans approved by the City Engineer with the second phase of the project. (Airport Road improvements are currently included in the AB 1600 transportation needs list and are therefore subject to reimbursement from that fund).
15. Prior to occupancy of Phase One improvements, sanitary sewer shall be provided to the project in accordance with plans approved by the City Engineer. Subject to council action and agreements on file with the City, the developer shall be entitled to reimbursements for the design and construction of the public sewer line. The City will provide or acquire all property and easements necessary for construction of the sewer line.
16. Prior to occupancy of Phase One improvements, all overhead utility lines adjacent to and currently serving the site, shall be relocated underground.

PASSED AND ADOPTED THIS 10<sup>th</sup> day of February, 2009 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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CHAIRMAN, CHARLES TREATCH

ATTEST:

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RON WHISENAND, SECRETARY OF THE PLANNING COMMISSION

**EXHIBIT A OF RESOLUTION 09-\_\_\_\_\_**

**CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS  
FOR SINGLE FAMILY RESIDENTIAL TRACT AND PARCEL MAPS**

PROJECT #: Tentative Tract 2962, PD 08-002 & CUP 08-002

APPROVING BODY: Planning Commission

DATE OF APPROVAL: February 10, 2009

APPLICANT: Jerry & Katherine Handley

LOCATION: 3340 & 3350 Airport Road

The following conditions that have been checked are standard conditions of approval for the above referenced project. The checked conditions shall be complied with in their entirety before the project can be finalized, unless otherwise specifically indicated. In addition, there may be site specific conditions of approval that apply to this project in the resolution.

**COMMUNITY DEVELOPMENT DEPARTMENT - The applicant shall contact the Planning Division, (805) 237-3970, for compliance with the following conditions:**

**A. GENERAL CONDITIONS**

- 1. This project approval shall expire on February 10, 2011, unless a time extension request is filed with the Community Development Department prior to expiration.
- 2. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Planned Development process, development shall comply with the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- 3. Prior to recordation of the map, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
- 4. This project is subject to the California Environmental Quality Act (CEQA), which requires the applicant submit a \$2,018.00 filing fee for the Notice of Determination payable to "County of San Luis Obispo". The fee should be submitted to the Community Development Department within 24 hours of project approval, which is then forwarded to the San Luis Obispo County Clerk. Please note that the project may be subject to court challenge unless the required fee is paid.
- 5. In accordance with Government Section 66474.9, the subdivider shall defend, indemnify and hold harmless the City, or its agent, officers and employees, from any claim, action or proceeding brought within the time period provided for in Government Code section 66499.37, against the City, or its agents, officers, or employees, to attack, set aside, void, annul the City's approval of this subdivision. The City will promptly notify subdivider of any such claim or action and will cooperate fully in the defense thereof.

(Adopted by Planning Commission Resolution 94-038)

- 6. All signs shall be subject to review and approval as required by Municipal Code Section 21.19 and shall require a separate application and approval prior to installation of any sign.
- 7. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and subject to approval by the Community Development Department.
- 8. All existing and/or new landscaping shall be installed with automatic irrigation systems.
- 9. All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block.
- 10. The following areas shall be placed in a Landscape and Lighting District:  
NONE
- 11. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:  
\_\_\_\_\_  
\_\_\_\_\_
- 12. The applicant shall install durable, decorative fence/wall treatments and landscaping along all arterial streets consisting of brick, tubular steel with pilasters, or other similar materials as determined by the Development Review Committee, but specifically excluding precision block and wood fences. Substantial setbacks with landscaping may be considered as an alternative, subject to approval by the Development Review Committee.
- 13. The applicant shall provide a one-foot non-access easement along the rear/side of all lots that back up/side against a collector or arterial street.

**B. THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF BUILDING PERMITS OR RECORDATION OF THE FINAL MAP, WHICHEVER OCCURS FIRST:**

- 1. Two sets of the revised Planning Commission approved plans incorporating all Conditions of Approval, standard and site specific, shall be submitted to the Community Development Department.
- 2. Prior to the issuance of building permits, the
  - Development Review Committee shall approve the following:
  - Planning Division Staff shall approve the following:
    - a. A detailed landscape plan including walls/fencing;
    - b. Other: Exterior Lighting Cut Sheets
- 3. The Covenants, Conditions, and Restrictions (CC&Rs) and/or Articles Affecting Real Property Interests are subject to the review and approval of the Community Development Department, the

(Adopted by Planning Commission Resolution 94-038)

Public Works Department and/or the City Attorney. They shall be recorded concurrently with the Final Map or prior to the issuance of building permits, whichever occurs first. A recorded copy shall be provided to the affected City Departments.

- 4. The applicant shall agree, in a manner acceptable to the City Attorney, to pay impact mitigation fees as may be established through a resolution or ordinance adopted by the City Council, in effect at the time building permits are issued.
  
- N/A 5. ~~In order for this tract/parcel map to be in conformance with the General Plan, the lots/parcels of the tract/parcel map shall be annexed into a Community Facilities District (CFD) that serves to mitigate impacts to public schools. Said CFD shall either be a joint City School District CFD or a CFD created by the School District that the City Council has approved. If at the time that the final map is submitted for approval, proceedings to annex the tract/parcel map into a CFD have not been completed, the applicant shall record on all lots/parcels, a waiver of future protest to the formation of a CFD joint City School District CFD or a CFD created by the School Districts that the City Council has approved. This condition shall not be imposed if the developer executes a development agreement with the District to mitigate school impacts.~~
  
- 6. Street names shall be submitted for review and approval by the Planning Commission, prior to approval of the final map.
  
- 7. The developer shall provide constructive notice to all buyers that all homes are required to utilize semi-automated trash containers as provided by the City's franchisee for solid waste collection.
  
- 8. The developer shall provide constructive notice to future buyers that all residential units shall be required to be equipped with trash compactors.
  
- 9. The applicant shall meet with the City's Crime Prevention Officer prior to the issuance of building permits for recommendations on security measures to be incorporated into the design of the structures to be constructed. The applicant is encouraged to contact the Police Department at (805) 237-6464 prior to plan check submittal.

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**PUBLIC WORKS DEPARTMENT - The applicant shall contact the Engineering Division, (805) 237-3860, for compliance with the following conditions:**

APPLICANT: Handley  
REPRESENTATIVE: NCE  
PROJECT: Tentative Tract 2962

PREPARED BY: John Falkenstien  
CHECKED BY:  
TO PLANNING:

**C. PRIOR TO ANY PLAN CHECK:**

- 1. The applicant shall enter into an Engineering Plan Check and Inspection Services Agreement with the City.

**D. PRIOR TO RECORDING OF THE FINAL OR PARCEL MAP:**

- 1. The owner shall pay all Final Map fees, and current and outstanding fees for Engineering Plan Check and Construction and Inspection services and any annexation fees due.
- 2. If, at the time of approval of the final/record parcel map, any required public improvements have not been completed and accepted by the City the owner shall be required to enter into a Subdivision Agreement with the City in accordance with the Subdivision Map Act, prior to recordation. The owner shall also be required to post securities to guarantee the installation and completion of said improvements as specified in the Subdivision Map Act and submit a Certificate of Insurance as required by the City. The owner shall also be required to post securities for grading in accordance with Section 7008 of the Uniform Building Code, latest edition. This bond shall be of sufficient amount to ensure completion of the grading and drainage facilities. (A finding of "orderly development" has been made for this condition on parcel maps).

Bonds required and the amount shall be as follows:  
Performance Bond.....100% of improvement costs.  
Labor and Materials Bond.....50% of performance bond.

- 3. The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following:
  - a. Street lights;
  - b. Parkway and open space landscaping;
  - c. Wall maintenance in conjunction with landscaping;
  - d. Graffiti abatement;
  - e. Maintenance of open space areas.
- 4. The owner shall offer to dedicate to the City a 6 foot public utilities and 6 foot tree easement adjacent to all road right-of-ways. The owner shall offer to dedicate to the City the following easement(s). The location and alignment of the easement(s) shall be to the description and satisfaction of the City Engineer:
  - a. Public Utilities Easement;
  - b. Water Line Easement;
  - c. Sewer Facilities Easement;
  - d. Landscape Easement;
  - e. Storm Drain Easement.

(Adopted by Planning Commission Resolution 94-038)

5. The subdivider shall offer to dedicate and improve the following street(s) to the standard indicated:
- |              |   |
|--------------|---|
| Airport Road | Arterial Standards as approved by the City Engineer |
| New Street   | Local City Standard A-5                             |
6. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require a signature of approval by the Department of Public Works, Street Superintendent and the Community Development Department.
7. All improvement plans shall be prepared by a registered civil engineer and shall be submitted to the City Engineer for review and approval. The improvements shall be designed and placed to Public Works Department Standards and Specifications.
8. Prior to any site work a Preliminary Soils Report shall be prepared for the property to determine the presence of expansive soils or other soils problems and shall make recommendations regarding grading of the proposed site.
9. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility, together with the improvement plans. The composite utility plan shall also be signed by the Water, Fire, Wastewater and Street Division Managers.
10. A complete grading and drainage plan prepared by a registered civil engineer shall be included with the improvement plans. Drainage calculations shall be submitted, with provisions made for on-site detention/ retention if adequate disposal facilities are not available, as determined by the City Engineer.
11. The owner shall provide an additional map sheet to record concurrently with the final map or parcel map showing the lot configuration, and the area subject to inundation by the 100 year storm with base flood elevations shown in feet, in relation to the National Geodetic Vertical Datum of 1929.
12. The owner shall install all utilities (sewer, water, gas, electricity, cable TV, and telephone) underground to each lot in the subdivision. Street lights shall be installed at locations as required by the City Engineer. All existing overhead utilities adjacent to or within the project shall be relocated underground, except for electrical lines 77 kilovolts or greater. All utilities shall be extended to the boundaries of the project, unless it is determined that no need for future extension exists. All underground construction shall be completed and approved by the City and the public utility companies, and the subgrade shall be scarified and compacted, before paving the streets.
13. Any utility trenching in existing streets shall be overlaid to restore a smooth riding surface as required by the City Engineer. Boring and jacking rather than trenching may be required on newly constructed or heavily traveled City Streets.
14. Prior to paving any street, the water and sewer systems shall successfully pass a City pressure test. The sewer system shall also be tested by a means of a mandrel and video inspection with a copy of the video tape provided to the City. No paving shall occur until the City has reviewed and viewed the sewer video tape and has determined that the sewerline is acceptable. Any repair costs to the pipeline including trench paving restoration shall be at the developer's expense.
15. The owner shall install all street name, traffic signs and traffic striping as directed by the City Engineer.

(Adopted by Planning Commission Resolution 94-038)

- 16. The adjoining existing City street is inadequate for the traffic generated by the project, or will be severely damaged by the construction. The applicant shall remove the entire roadway and replace it with a minimum full half-width street plus a 12' wide travel lane and 8' wide base shoulder adequate to provide for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition.)
- 17. The development includes a phased street construction along the project boundary for future completion by the adjacent property owner, the applicant shall provide a minimum half-width street plus a 12' travel lane and 4' wide base shoulder adequate for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition.)
- 18. The project fronts on an existing street. The applicant shall pave-out from the proposed gutter to the edge of pavement if the existing pavement section is adequate, and shall feather the new paving out to the centerline for a smooth transition. If the existing pavement, structural sections or geometrics are inadequate per current City Standards, the roadway shall be replaced to centerline and the remaining pavement shall be overlaid. (A finding of "rough proportionality" has been made in the resolution for this condition.)

**E. PRIOR TO ANY SITE WORK:**

- 1. The applicant shall obtain a Grading Permit from the City Building Division.
- 2. Prior to issuance of a Grading Permit the developer shall apply, through the City, to FEMA and receive a Letter of Map Amendment (LOMA) issued from FEMA. The developer's engineer shall provide the required supporting data to justify the application.
- 3. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No. 553, Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to its removal.
- 4. All property corners shall be staked for construction control, and shall be promptly replaced if destroyed.
- 5. Any grading anticipated during the rainy season (October 15 to April 15) will require the approval of a construction zone drainage and erosion control plan to prevent damage to adjacent property. Appropriateness of areas shall be subject to City Engineer approval.
- 6. Any construction within an existing street shall require a traffic control plan. The plan shall include any necessary detours, flagging, signing, or road closures requested. Said plan shall be prepared and signed by a registered civil or traffic engineer.

**F. PRIOR TO ISSUANCE OF A BUILDING PERMIT:**

- 1. A final soils report shall be submitted to the City prior to the final inspection and shall certify that all grading was inspected and approved, and that all work has been done in accordance with the plans, preliminary report, and Chapter 70 of the Uniform Building Code.
- 2. The applicants civil and soils engineer shall submit a certification that the rough grading work has been completed in substantial conformance to the approved plans and permit.

(Adopted by Planning Commission Resolution 94-038)



- 3. Building permits shall not be issued until the water system has been completed and approved, and a based access road installed sufficient to support the City's fire trucks, in a manner approved by the Fire Chief.
- 4. Prior to issuance of a Building Permit for building within Flood Insurance Rate Map (FIRM) zones A1-A30, AE, AO, AH, A, V1-V30, VE and V, the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor, engineer or architect licensed in the State of California.
- 5. Prior to issuance of a Building Permit for building within Flood Insurance Rate Map (FIRM) zones A1-A30, AE, AO, AH, A, V1-V30, VE and V, the developer shall provide a Flood Proofing Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor, engineer or architect licensed in the State of California.

**G. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:**

- 1. All final property corners and street monuments shall be installed before acceptance of the public improvements.
- 2. No buildings shall be occupied until all public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance.
- 3. All disturbed areas not slated for development shall be protected against erosion in a manner acceptable to the City Engineer, which may include hydroseeding or landscaping.
- 4. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection Services and any outstanding annexation fees.
- 5. All top soil removed shall be stockpiled and evenly distributed over the slopes and lots upon completion of rough grading to support hydroseeding and landscaping. All slope areas shall be protected against erosion by hydroseeding or landscaping.
- 6. All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood, gypsum board, etc.) and removed from the project to a recycling facility in accordance with the City's Source Reduction and Recycling Element.
- 7. If any of the public improvements or conditions of approval are not completed or met, then the subdivider may, at the discretion of the City Engineer, enter into a Performance Agreement with the City to complete said improvements at a later date and post securities to cover the cost of the improvements. The form of the agreement and amount of the securities are subject to the approval of the City Engineer.
- 8. A blackline clear Mylar (0.4 MIL) copy and two (2) blueline prints of as-built improvement plans, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. A reduced copy (i.e. 1" = 100') of the composite utility plan shall be provided to update the City's Atlas Map.
- 9. A benchmark shall be placed for vertical control on the U.S.G.S. Datum as required by the City Engineer.

\*\*\*\*\*

(Adopted by Planning Commission Resolution 94-038)

**PASO ROBLES FIRE DEPARTMENT - The applicant shall contact the Fire Department, (805) 237-3973, for compliance with the following conditions:**

**H. GENERAL CONDITIONS**

- 1. Fire hydrants shall be installed at intervals as required by the Fire Chief and City Engineer. The maximum spacing for single family residential shall be 500 feet. The maximum spacing for multi-family and commercial/residential shall be 300 feet. On-site hydrants shall be placed as required by the Fire Chief.
- 2. Building permits shall not be issued until the water system, including hydrants, has been tested and accepted and a based access road installed sufficient to support the City's fire apparatus (HS-20 truck loading). The access road shall be kept clear to a minimum of 24 feet at all times and shall be extended to each lot and shall be maintained to provide all weather driving conditions.
- 3. No buildings shall be occupied until all improvements are completed and accepted by the City for maintenance.
- 4. If the development includes phased street construction, temporary turn-arounds shall be provided for streets that exceed 150 feet in length. The temporary turn around shall meet City requirements as set forth in the Public Works Department Standards and Specifications.
- 5. All open space areas to be dedicated to the City shall be inspected by the Fire Department prior to acceptance. A report shall be submitted recommending action needed for debris, brush and weed removal and tree trimming. The developer shall clean out all debris, dead limbs and trash from areas to be recorded as open space prior to acceptance into a Benefit Maintenance District.
- 6. Any open space included in a private development shall be subject to the approval of a vegetation management plan approved by the Fire Chief.
- 7. Each tract or phase shall provide two sources of water and two points of access unless otherwise determined by the Fire Chief and Public Works Director.
- 8. Provisions shall be made to update the Fire Department Run Book.

(Adopted by Planning Commission Resolution 94-038)

DEVELOPMENT PLAN  
FOR  
**DESTINO PASO**

SITE STATISTICS - OVERVIEW  
TOTAL GROSS AREA 36.3 ACRES  
NET AREA 38.9 ACRES  
UNDISTURBED OPEN SPACE 0 AC

RECORD OWNER: JERRY AND KATHERINE HANDLEY  
P.O. BOX 0911  
PASO ROBLES, CA 94446

APPLICANT: JERRY AND KATHERINE HANDLEY  
PASO ROBLES, CA 94446

ENGINEER: NORTH COAST ENGINEERING, INC.  
775 CHESTNUT RD., STE. B.  
PASO ROBLES, CA 94446  
P.C.E. 04427  
CNP 00359

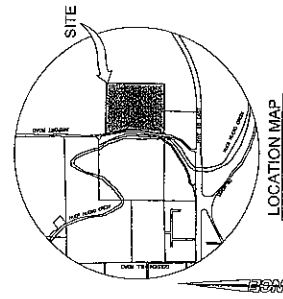
A.P.N. 054-09-029 & 030

EXISTING USE VACANT

EXISTING GENERAL PLAN DESIGNATION POS

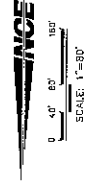
EXISTING ZONING POS

PROPOSED USE RESORT



**SHEET INDEX**

1. COVER SHEET
2. VESTING TENTATIVE MAP
3. SITE AND PHASING PLAN
4. PRELIMINARY DRAINAGE PLAN - WEST
5. PRELIMINARY GRADING & DRAINAGE PLAN - EAST
6. PRELIMINARY UNDERGROUND PLAN - WEST
7. PRELIMINARY UNDERGROUND PLAN - EAST
8. SITE CROSS SECTIONS



SHEET OF 3

**Exhibit B**  
Cover Sheet  
GPA 09-001, RZ 09-001, PD 08-002  
CUP 08-002, Tract 2962  
(Destino Paso - Handley)

**SITE STATISTICS - OVERVIEW**  
TOTAL GROSS AREA 45.33 ACRES  
NET AREA 35.02 ACRES

**RECORD OWNER**  
JERRY AND KATHERINE HANDLEY  
PASO ROBLES, CA 92546

**APPLICANT**  
JERRY AND KATHERINE HANDLEY  
PASO ROBLES, CA 92546

**ENGINEER**  
NORTH COAST ENGINEERING INC.  
725 CRESTON RD., STE. B,  
PASO ROBLES, CA 92546  
K.C.E. #M21  
E.P. #0009

**A.P.N.** 025-436-009 & 020

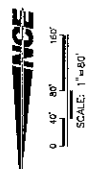
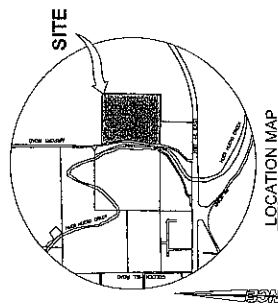
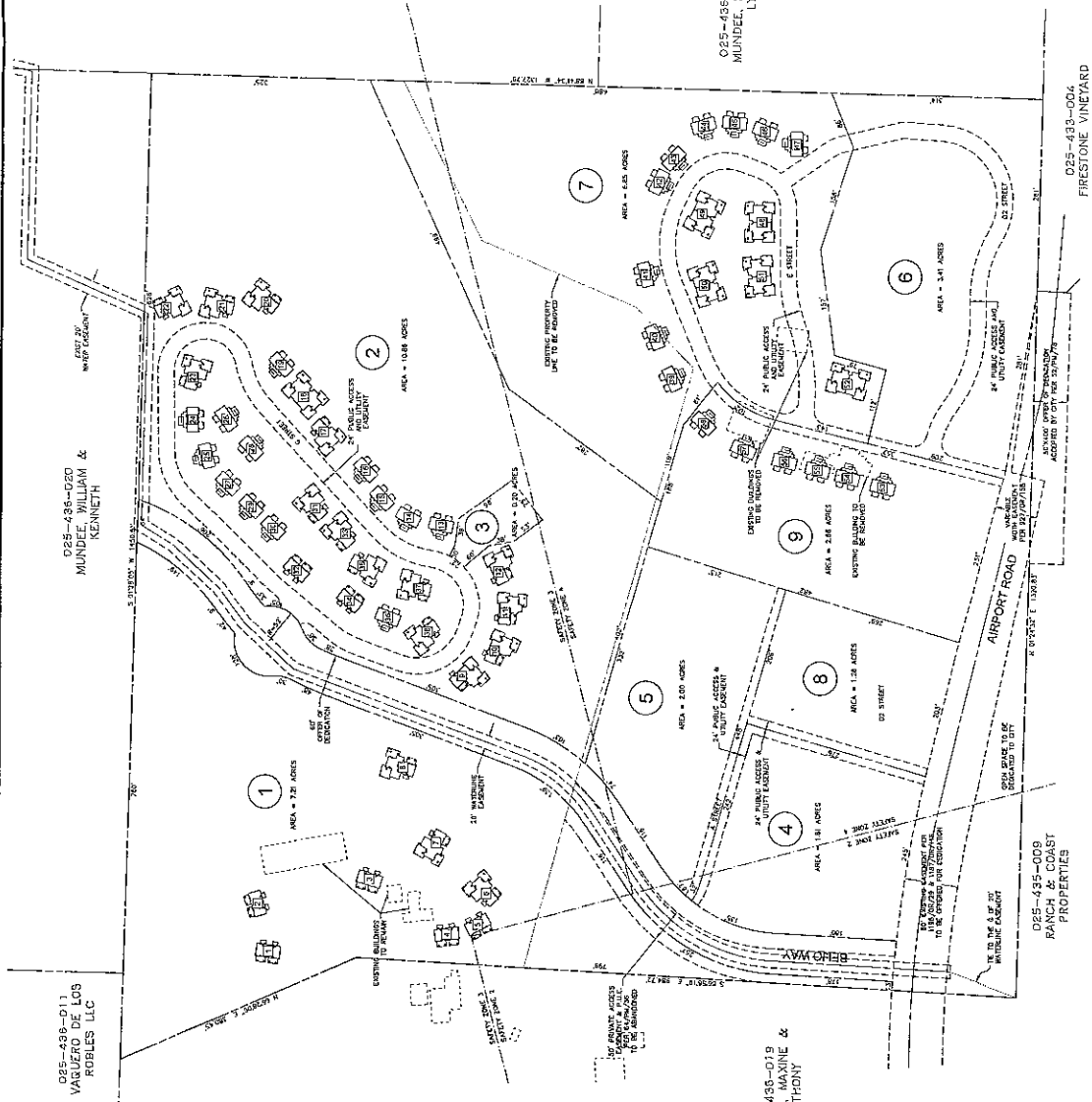
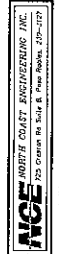
**EXISTING USE** VACANTING  
**EXISTING GENERAL PLAN DESIGNATION** PG5  
**EXISTING ZONING** PG5  
**PROPOSED USE** RESCART

**LEGEND**

- RIGHT-OF-WAY
  - PROPERTY LINE
  - ASPHALT SAFETY ZONE LINE
  - LANDMARK LINE
  - DEBOUNDARY LINE
  - DEBOUNDARY LINE
- DEPTH, UNIT/NUMBER
- PHASE NUMBER (5)

**DESTINO PASO  
VESTING  
TENTATIVE TRACT MAP  
TRACT 2962**

IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA BEING A SUBDIVISION FOR CONDOMINIUM PURPOSES OF PARCELS 1 AND 2 OF PARCEL MAP PR 04-0133, ACCORDING TO A MAP RECORDED IN BOOK 64 OF PARCELS MAPS AT REGISTRY OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

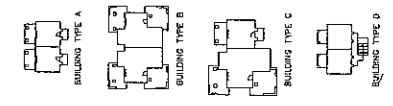


**Exhibit C**  
Vesting Tentative Tract 2962  
GPA 09-001, RZ 09-001, PD 08-002  
CUP 08-002, Tract 2962  
(Destino Paso - Handley)



**PHASING CONCEPT**

PHASE	# OF BUILDINGS	# OF UNITS	TOTAL AREA
PHASE 1	1	1	1,198 SF
PHASE 2	3	3	3,022 SF
PHASE 3	1	3	2,400 SF
PHASE 4	1	3	2,400 SF
PHASE 5	1	3	2,400 SF
PHASE 6	1	3	2,400 SF
PHASE 7	1	3	2,400 SF
PHASE 8	1	3	2,400 SF
PHASE 9	1	3	2,400 SF



**BUILDING TYPES**  
 A (1) 224 sq units, double story  
 B (1) 224 sq units, double story  
 C (1) 224 sq units, double story  
 D (1) 224 sq units, double story

**PROJECT STATISTICS SUMMARY**

WATER TOWER	1
SOUTHWEST HOTEL	1
CASPARS	1
<b>TOTAL</b>	<b>3</b>
OFFICE/MANAGEMENT SPACE	1,000 SF
CONFERENCE/MEETING SPACE	4,000 SF
RESTAURANT	2,000 SF
RETAIL AND FOOD SERVICE	5,000 SF
<b>TOTAL</b>	<b>12,000 SF</b>

**DESTINO PASO**  
**SITE AND PHASING PLAN**  
**TRACT 2962**

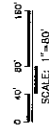
**NCE**  
 NORTH COAST ENGINEERING, INC.  
 735 Canton St. Suite A, Palm Beach, FL 33412

DATE SUBMITTED: JUNE 13, 2006  
 SHEET 1 OF 9

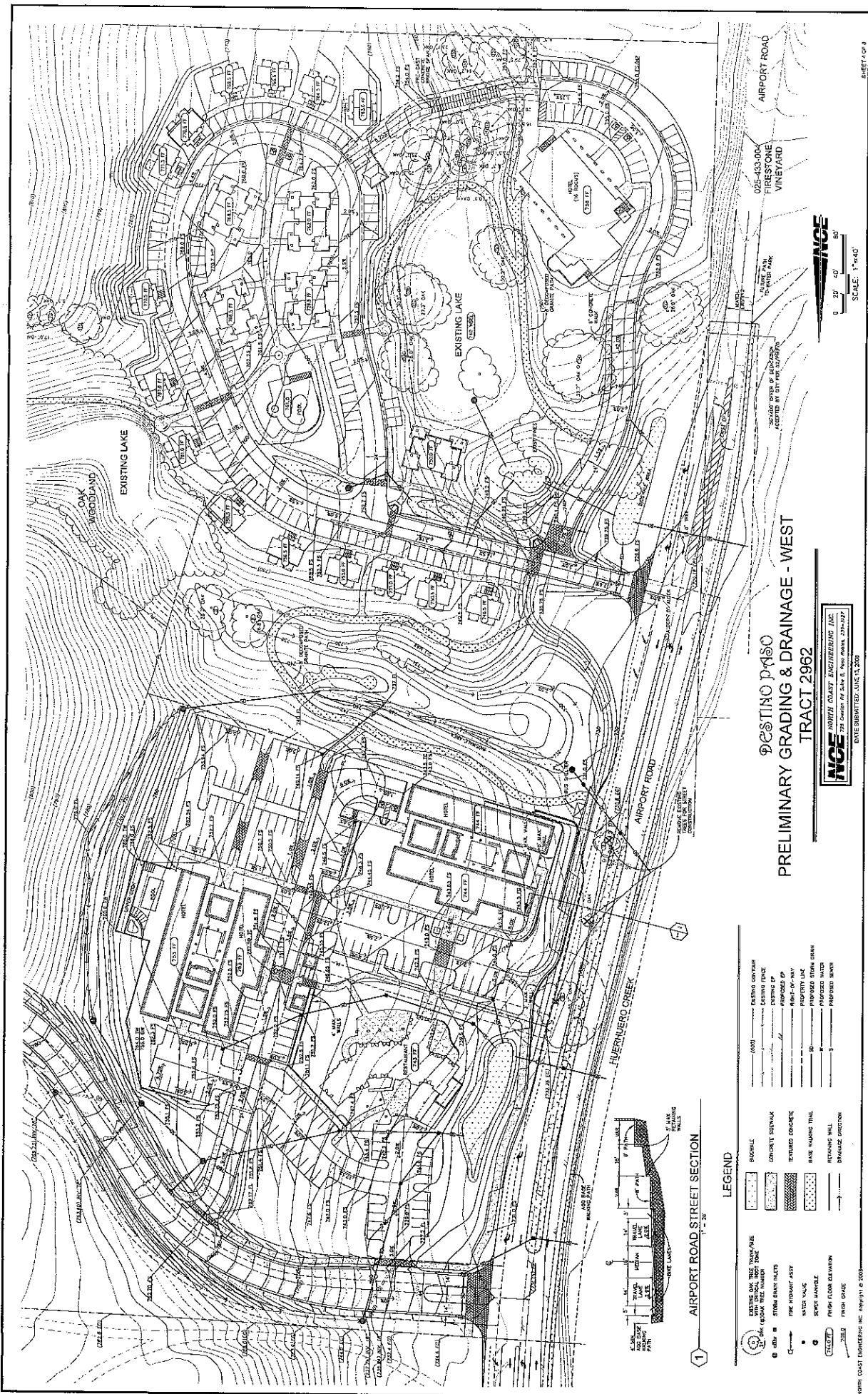
**LEGEND**

(Symbol)	EXISTING CONTOUR
(Symbol)	EXISTING FENCE
(Symbol)	EXISTING DRIVE/PARKING
(Symbol)	EXISTING DRIVE
(Symbol)	PROPOSED DRIVE
(Symbol)	PROPOSED DRIVE
(Symbol)	PROPOSED DRIVE
(Symbol)	PROPOSED DRIVE
(Symbol)	PROPOSED DRIVE
(Symbol)	PROPOSED DRIVE
(Symbol)	PROPOSED DRIVE

**NCE**  
 NORTH COAST ENGINEERING, INC.



**Exhibit D**  
**Site and Phasing Plan**  
 GPA 09-001, RZ 09-001, PD 08-002  
 CUP 08-002, Tract 2962  
 (Destino Paso - Handley)



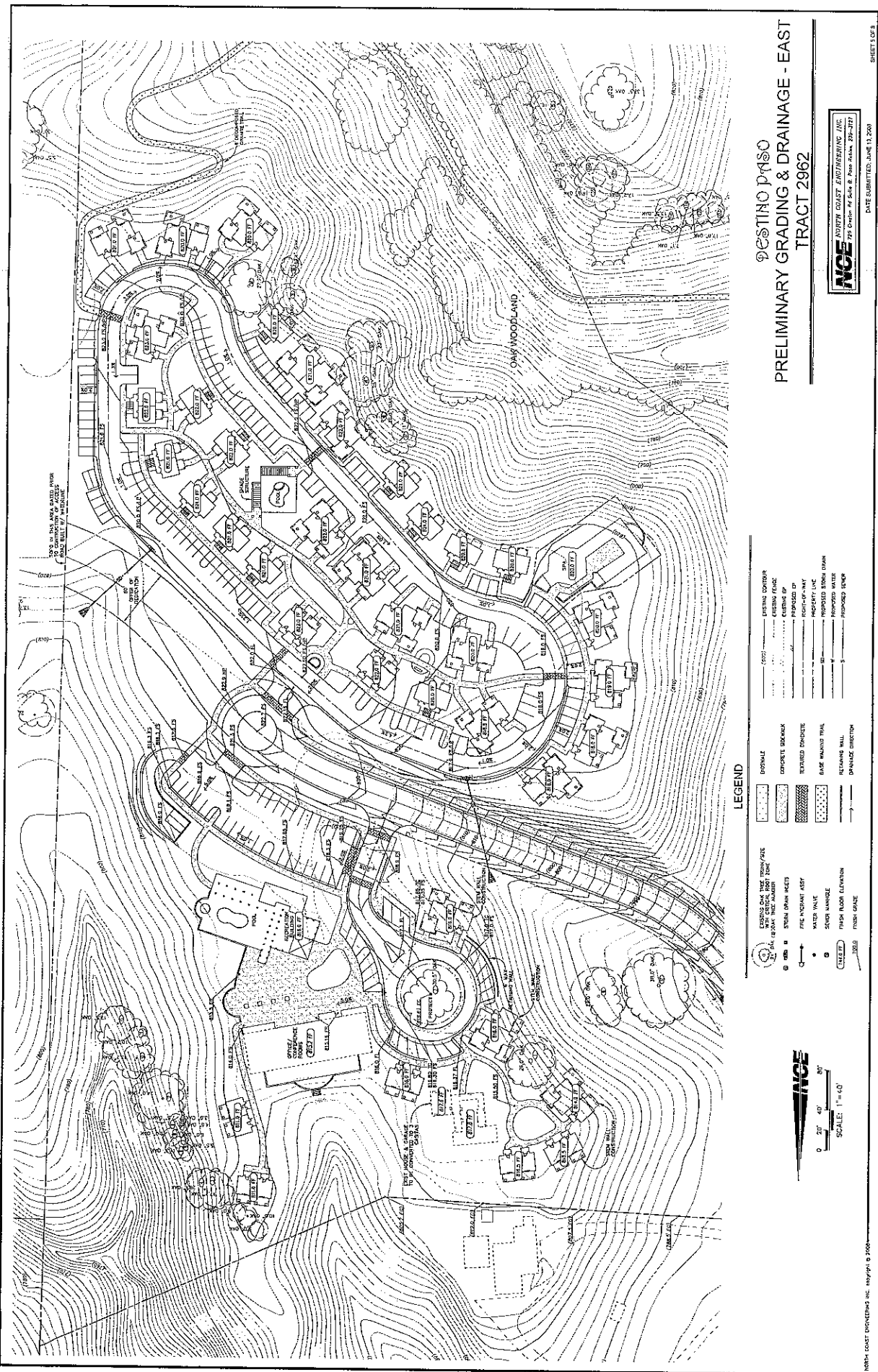
DESTINO PASO  
**PRELIMINARY GRADING & DRAINAGE - WEST**  
**TRACT 2962**

**NCE** NORTH COAST ENGINEERS, INC.  
DATE SUBMITTED: JUNE 13, 2008

SCALE: 1"=40'

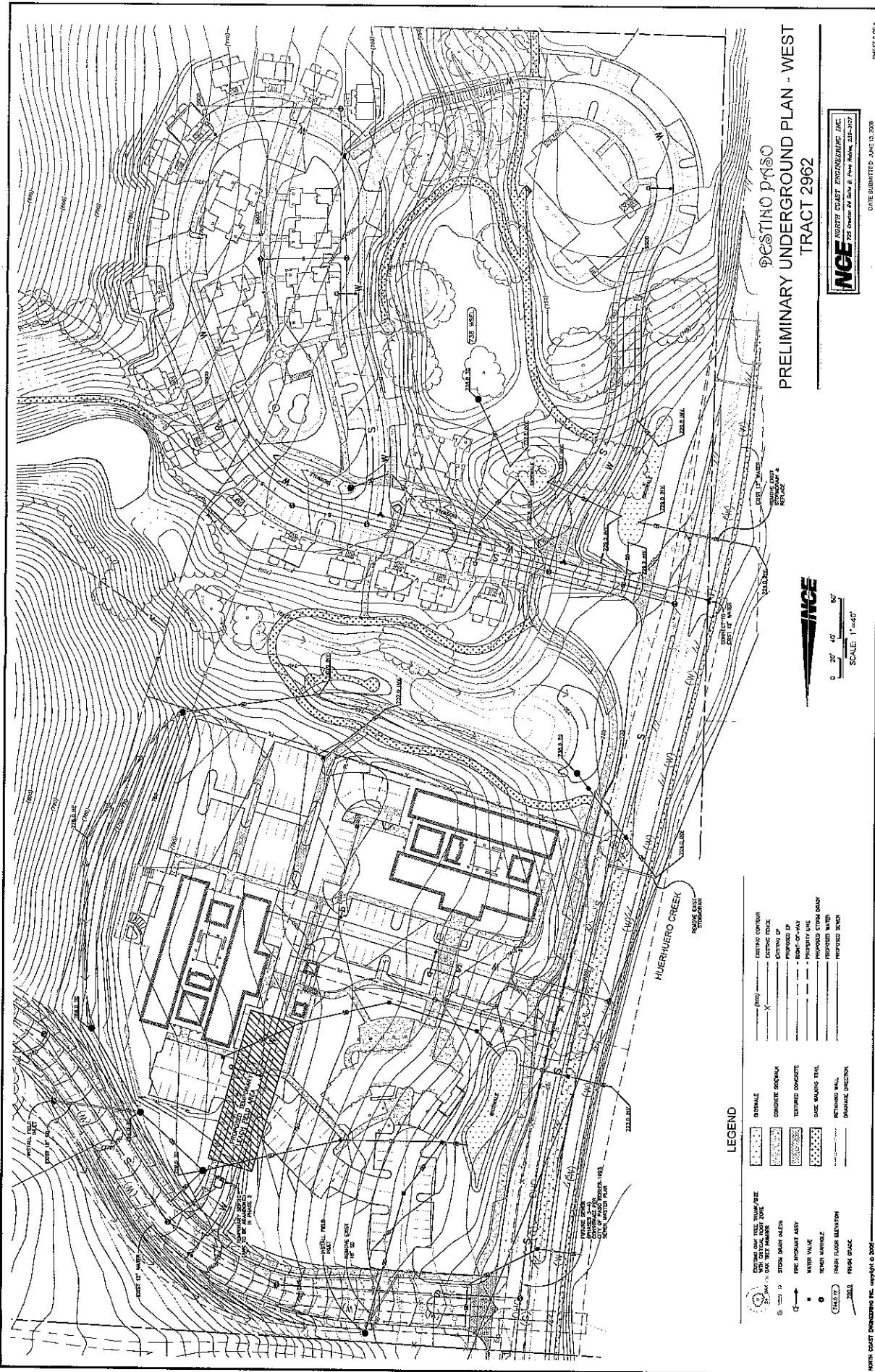
**Exhibit E**  
 Prelim. Grading/Drainage - west  
 GPA 09-001, RZ 09-001, PD 08-002  
 CUP 08-002, Tract 2962  
 (Destino Paso - Handley)





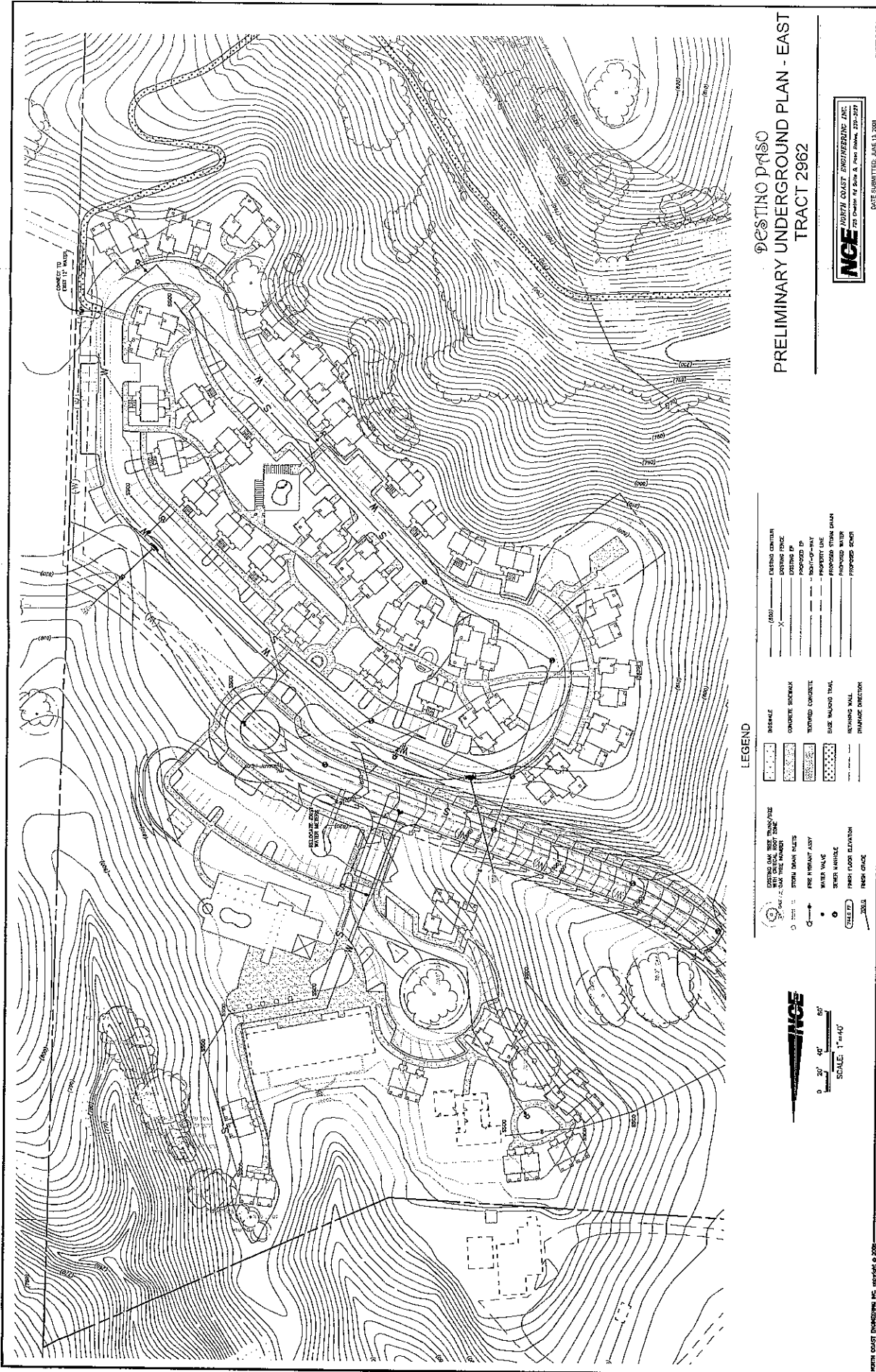
**Exhibit F**  
 Prelim. Grading/Drainage - east  
 GPA 09-001, RZ 09-001, PD 08-002  
 CUP 08-002, Tract 2962  
 (Destino Paso - Handley)

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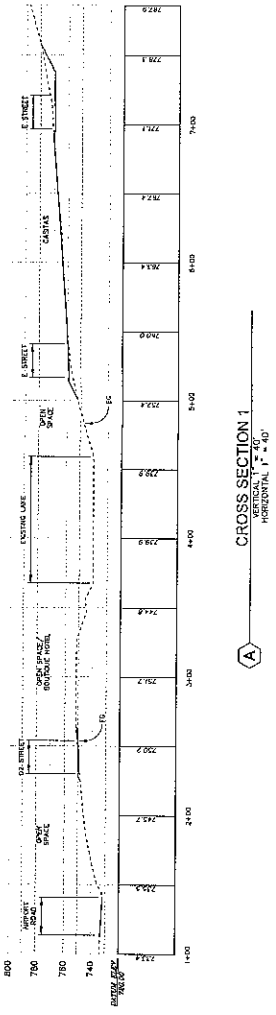


**Exhibit G**  
 Prelim. Underground - west  
 GPA 09-001, RZ 09-001, PD 08-002  
 CUP 08-002, Tract 2962  
 (Destino Paso - Handley)

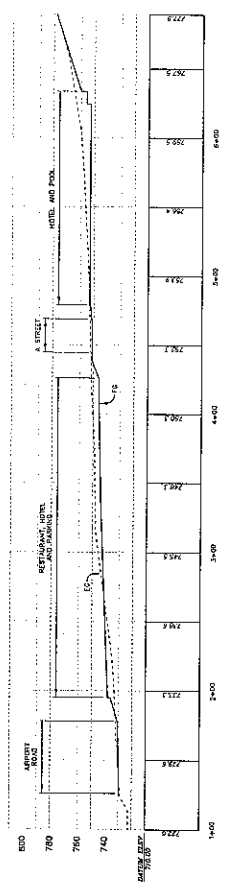




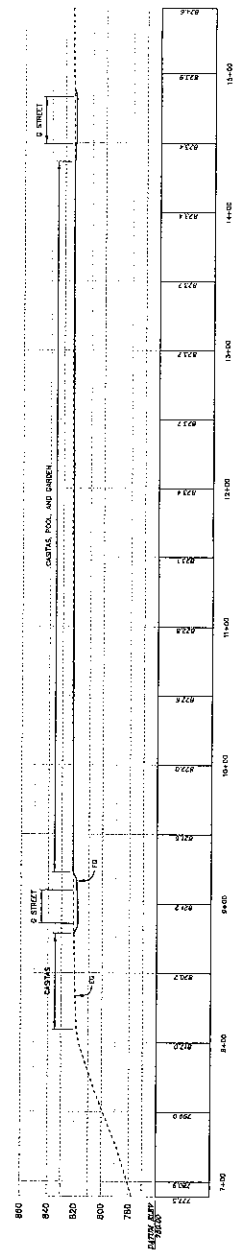
**Exhibit H**  
 Prelim. Underground - east  
 GPA 09-001, RZ 09-001, PD 08-002  
 CUP 08-002, Tract 2962  
 (Destino Paso - Handley)



CROSS SECTION 1  
VERTICAL 1" = 40'  
HORIZONTAL 1" = 40'

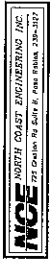


CROSS SECTION 2  
VERTICAL 1" = 40'  
HORIZONTAL 1" = 40'



CROSS SECTION 3  
VERTICAL 1" = 40'  
HORIZONTAL 1" = 40'

DESTINO PASO  
SITE CROSS SECTIONS  
TRACT 2962



DATE SUBMITTED: JUNE 10, 2008

SHEET 0 OF 8

**Exhibit I**  
Site Cross Sections  
GPA 09-001, RZ 09-001, PD 08-002  
CUP 08-002, Tract 2962  
(Destino Paso - Handley)

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL  
PROJECT NOTICING

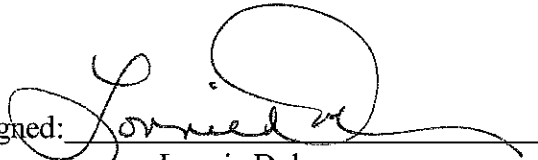
Newspaper: Tribune

Date of Publication: January 2, 2009

Hearing Date: February 10, 2009  
(Planning Commission)

Project: Planned Development 08-002,  
Conditional Use Permit 08-002, Tentative Tract 2962  
and associated Mitigated Negative Declaration

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

forms\newsaffi.691

**CITY OF EL PASO DE ROBLES**  
**NOTICE OF PUBLIC HEARING**  
**NOTICE OF INTENT TO ADOPT A**  
**MITIGATED NEGATIVE**  
**DECLARATION AND PLANNED**  
**DEVELOPMENT 08-002 &**  
**CONDITIONAL USE PERMIT 08-002 &**  
**TENTATIVE TRACT 2962**

**NOTICE IS HEREBY GIVEN** that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing on Tuesday, February 10, 2009. The meeting will be held 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 a adoption of a Planned Development, Conditional Use Permit, Tentative Tract and the associated Mitigated Negative Declaration (statement that there will be no significant environmental effects if certain mitigation measures are implemented) in accordance with the provisions of the California Environmental Quality Act (CEQA) for the following project:

**Tentative Tract Map 2962:** a request to subdivide the two existing parcels totaling approximately 40.33 acres into 9 parcels. Additionally, the tract map would further subdivide the 175 casitas units into condominium units, in a manner that would be similar to a time-share unit that would have a limit of stay to no longer than 30 days and be consistent with the requirements of transient lodging.

**Planned Development 08-002 & Conditional Use Permit 08-002:** request to construct a resort project consisting of 291 hotel and casitas rooms. The project would include accessory uses such as restaurant, spa, conference center, trails, pools, parking lots and other accessory uses.

The project has been filed by North Coast Engineering on behalf of Jerry and Katherine Handley. The site is located in northeast Paso Robles, along the east side of Airport Road, just north of the intersection of Airport Road and Highway 46 East.

The public review period for the Mitigated Negative Declaration (MND) is January 2, 2009 through February 10, 2009. The proposed MND 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 project and corresponding MND 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 application, please call Darren Nash at (805) 237-3970.

If you challenge this 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 Planning Commission at or prior to the public hearing.

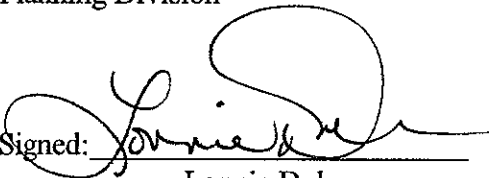
Darren Nash, Associate Planner  
 January 2, 2009 6788150

**AFFIDAVIT  
OF MAIL NOTICES**

**PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING**

I, Lonnie Dolan, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Tentative Tract 2962, Planned Development 08-002 and Conditional Use Permit 08-002 (Handley/Destino Paso) on this 13th day of January 2009.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed:   
Lonnie Dolan

forms\mailaffi.691

# CITY OF PASO ROBLES – PLANNING DIVISION

## INITIAL STUDY

### 1. GENERAL PROJECT INFORMATION

**PROJECT TITLE:** Planned Development (08-002), Conditional Use Permit 08-002 & Tentative Tract 2962

**LEAD AGENCY:** City of Paso Robles - 1000 Spring Street, Paso Robles, CA 93446

**Contact:** Darren Nash  
**Telephone:** (805) 237 - 3970

**PROJECT LOCATION:** 3340 and 3350 Airport Road  
(APNs 025-436-029, 025-436-030)

**PROJECT PROPONENT:** Applicant: Jerry & Kathie Handley  
PO Box 1011, Paso Robles, CA 93446  
Representative: North Coast Engineering

**LEAD AGENCY CONTACT/  
INITIAL STUDY PREPARED BY:** Darren Nash, Associate Planner

**Telephone:** (805) 237-3970  
**Facsimile:** (805) 237-3904  
**E-Mail:** dnash@precity.com

**GENERAL PLAN DESIGNATION:** Parks and Open Space (POS) with Airport (AP) Overlay

**ZONING:** Parks and Open Space (POS) with Resort Lodging Overlay (R/L)

### 2. PROJECT DESCRIPTION

The applicants request to construct a resort project consisting of: two hotels with 50 rooms each, a 14 room boutique hotel and 175 casitas rooms, totaling 291 units. The project is proposed to include accessory uses such as a 5,700 square foot restaurant, a 5,000 square foot conference center, a spa, walking trails, pools, parking lots and other accessory uses. Tentative Tract 2962 is requested to subdivide the two existing parcels totaling approximately 40.33 acres, into 9 parcels. Additionally, there is a request to approve a condo map that would further subdivide the 175 casitas units into condominium units to allow ownership of the individual units. Use of the units would have a limited stay no longer than 30 days, consistent with the requirements of transient lodging. Permanent residential use of the condominium units would be strictly prohibited since residential use of the units would conflict with the Airport Land Use Plan (ALUP).

The project site is located in northeast Paso Robles, along the east side of Airport Road, just north of the intersection of Airport Road and Highway 46 (refer to Exhibit A, Vicinity Map).

The subject properties and adjacent parcels are situated on alluvial terraces on the east side of Huer Huero Creek, with the eastern end of the property on the terrace and the western portion sloping down to include a small portion of Huer Huero Creek. Existing use of the site includes cattle grazing, an access road from Airport Road, and one single family home with adjacent barns and outbuildings, including foundations for a caretaker's

## 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Less Than Significant Impact	No Impact

house and warehouse. The land use designation and zoning districts include Parks and Open Space generally to the south, southeast, and west, across Airport Road and Agriculture to the north and east.

The site is within the Airport Overlay District and is subject to consistency with the Airport Land Use Plan (ALUP). The project site is required to include mitigation measures for consistency with the ALUP.

### 3. OTHER AGENCIES WHOSE APPROVAL MAY BE REQUIRED (For example, issuance of permits, financing approval, or participation agreement):

California Department of Fish and Game  
California Department of Transportation (CalTrans)

### 4. EARLIER ENVIRONMENTAL ANALYSIS AND RELATED ENVIRONMENTAL DOCUMENTATION:

This Initial Study incorporates by reference the City of El Paso de Robles General Plan Environmental Impact Report (EIR) (SCH#2003011123).

This Initial Study incorporates by reference a Mitigated Negative Declaration prepared for GPA 06-002 & Rezone 05-006 (SCH#2006081056).

### 5. CONTEXT OF ENVIRONMENTAL ANALYSIS FOR THE PROJECT:

This Initial Study relies on expert opinion supported by the facts, technical studies, and technical appendices of the City of El Paso de Robles General Plan EIR. These documents are incorporated herein by reference. They provide substantial evidence to document the basis upon which the City has arrived at its environmental determination regarding various resources.

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following initial study). Implementation of the proposed mitigation measures will reduce the potentially significant effects associated with the proposed uses to less than significant levels.

### 6. PURPOSES OF AN INITIAL STUDY

The purposes of an Initial Study for a Development Project Application are:

- A. To provide the City with sufficient information and analysis to use as the basis for deciding whether to prepare an Environmental Impact Report, a Mitigated Negative Declaration, or a Negative Declaration for a site specific development project proposal;
- B. To enable the Applicant of a site specific development project proposal or the City as the lead agency to modify a project, mitigating adverse impacts before an Environmental Impact Report is required to be prepared, thereby enabling the proposed Project to qualify for issuance of a Negative Declaration or a Mitigated Negative Declaration;
- C. To facilitate environmental assessment early in the design of a project;
- D. To eliminate unnecessary EIRs;

## 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Less Than Significant Impact	No Impact

- E. To explain the reasons for determining that potentially significant effects would not be significant;
- F. To determine if a previously prepared EIR could be used for the project;
- G. To assist in the preparation of an Environmental Impact Report if one is required; and
- H. To provide documentation of the factual basis for the finding of no significant effect as set forth in a Negative Declaration or a Mitigated Negative Declaration prepared for the a project.

### 7. EXPLANATION OF ANSWERS FOUND ON THE ENVIRONMENTAL CHECKLIST FORM

#### A. Scope of Environmental Review

This Initial Study evaluates potential impacts identified in the following checklist.

#### B. Evaluation of Environmental Impacts

1. A brief explanation is required for all answers to the questions presented on the following Environmental Checklist Form, except where the answer is that the proposed project will have “No Impact.” The “No Impact” answers are to be adequately supported by the information sources cited in the parentheses following each question or as otherwise explained in the introductory remarks. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A “No Impact” answer should be explained where it is based on project-specific factors and/or general standards. The basis for the “No Impact” answers on the following Environmental Checklist Form is explained in further detail in this Initial Study in Section 9 (Earlier Environmental Analysis and Related Environmental Documentation) and Section 10 (Context of Environmental Analysis for the Project).
2. All answers on the following Environmental Checklist Form must take into account the whole action involved with the project, including implementation. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. “Potentially Significant Impact” is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more “Potentially Significant Impact” entries when the determination is made, preparation of an Environmental Impact Report is warranted.
4. “Potentially Significant Impact Unless Mitigated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level. Mitigation Measures from Section 9 (Earlier Environmental Analysis and Related Environmental Documentation) may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D).

**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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See Section 4 (Earlier Environmental Analysis and Related Environmental Documentation) and Section 11 (Earlier Analysis and Background Materials) of this Initial Study.

6. References to the information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the Environmental Checklist Form. See Section 11 (Earlier Analysis and Related Environmental Documentation). Other sources used or individuals contacted are cited where appropriate.
7. The following Environmental Checklist Form generally is the same as the one contained in Title 14, California Code of Regulations; with some modifications to reflect the City’s needs and requirements.
8. Standard Conditions of Approval: The City imposes standard conditions of approval on Projects. These conditions are considered to be components of and/or modifications to the Project and some reduce or minimize environmental impacts to a level of insignificance. Because they are considered part of the Project, they have not been identified as mitigation measures. For the readers’ information, the standard conditions identified in this Initial Study are available for review at the Community Development Department.
9. Certification Statement: The statements made in this Initial Study and those made in the documents referenced herein present the data and information that are required to satisfy the provisions of the California Environmental Quality Act (CEQA) – Statutes and Guidelines, as well as the City’s Procedures for Implementing CEQA. Further, the facts, statements, information, and analysis presented are true and correct in accordance with standard business practices of qualified professionals with expertise in the development review process, including building, planning, and engineering.

**8. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The proposed project may potentially affect the environmental factors checked below, and may involve at least one impact that is a “Potentially Significant Impact” or is “Potentially Significant Unless Mitigated,” if so indicated on the following Environmental Checklist Form (Pages 8 to.15)

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Land Use & Planning | <input checked="" type="checkbox"/> Transportation/Circulation | <input type="checkbox"/> Public Services             |
| <input type="checkbox"/> Population & Housing           | <input checked="" type="checkbox"/> Biological Resources       | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Geological Problems            | <input type="checkbox"/> Energy & Mineral Resources            | <input type="checkbox"/> Aesthetics                  |
| <input type="checkbox"/> Water                          | <input checked="" type="checkbox"/> Hazards                    | <input type="checkbox"/> Cultural Resources          |
| <input checked="" type="checkbox"/> Air Quality         | <input checked="" type="checkbox"/> Noise                      | <input type="checkbox"/> Recreation                  |
|   | <input type="checkbox"/> Mandatory Findings of Significance    |  |



**10 Environmental Checklist Form**

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ISSUES (and Supporting Information Sources):				

**9. ENVIRONMENTAL DETERMINATION:** On the basis of this initial evaluation: I find that:

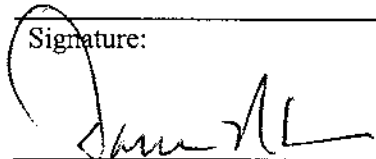
The proposed project could not have a significant effect on the environment; and, therefore, a **NEGATIVE DECLARATION** will be prepared.

Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. Therefore, a **MITIGATED NEGATIVE DECLARATION** will be prepared.

The proposed project may have a significant effect on the environment; and, therefore an **ENVIRONMENTAL IMPACT REPORT** is required.

The proposed project may have a significant effect(s) on the environment, but one or more effects (1) have been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) have been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or is "potentially significant unless mitigated."

Therefore, an **ENVIRONMENTAL IMPACT REPORT** is required, but it will analyze only the effect or effects that remain to be addressed.

Signature: \_\_\_\_\_  


Date: \_\_\_\_\_  
 December 24, 2008

Darren Nash, Associate Planner

**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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**I. LAND USE AND PLANNING. Would the Proposal:**

a) Conflict with general plan designation or zoning?  
(Sources: 1 & 8)

*Discussion: The proposed project has a General Plan Land Use and Zoning designation of Parks and Open Space (POS) with a Resort/Lodging (RL) Overlay. The Park and Open Space Land Use Category is intended for open space and recreation uses on public or private properties, specifically, parks, lands along creeks and steep, wooded hillsides, hotels and motels in proximity to golf courses and commercial recreation. The Resort/Lodging (RL) overlay district allows the City to consider and conditionally approve resort hotels, motels, and bed and breakfast inns, along with related accessory/ancillary land uses.*

*Furthermore, Table 21.16.200 of the Zoning Code, which identifies permitted use in various zoning districts, allows for transient lodging (hotels and motels) in the POS zoning district with a Conditional Use Permit (CUP).*

*The applicants have submitted applications for a Development Plan (PD) along with a CUP for the resort project.*

*A resort project with ancillary uses as proposed would meet the intent of the General Plan, since it would provide the development of a resort project in close proximity to golf courses and commercial recreation. The project also complies with the intent of the POS zoning designation for the site.*

*Additionally, the resort project is consistent with the City's Economic Strategy, since it would "expand and diversify hotel products, including end destination full-service resorts.*

*Therefore this project will not be in conflict with the general plan and zoning designations.*

b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?  
(Sources: 1 & 3)

*Discussion: The project site includes an Airport Overlay (AP) and is therefore subject to consistency with the Airport Land Use Plan (ALUP). The ALUP identifies that the subject site is within portions of Zones 2, 3 & 4. The ALUP plan indicates that transient lodging along with accessory uses such as restaurants are compatible within zones 3 & 4 with a limitation on the number of persons or density allowed per gross acre. The density condition will be applied to the project. Transient lodging and restaurant uses are not compatible with Zone 2. The project has been designed to only locate uses such as roads, parking lots and landscaping to be within the minimal portions of Zone 2.*

*About half of the casitas units (approximately 80) are proposed to include kitchen facilities. The kitchens provide for a potential for a more residential-type use that would not be compatible with Airport Land Use Plan. The following mitigation measure has been applied to the project to address this issue:*

*LU-1: Prior to the issuance of a building permit for any casitas buildings, the kitchen facilities shall be omitted from the plans.*

c) Be incompatible with existing land uses in the vicinity?  
(Sources: 1 & 3)

*Discussion: The surrounding land use designations are Park and Open Space to the south, southeast, and west; and Agriculture to the north and east. Existing uses adjacent to the project site include a RV park, golf course, commercial waterslide, winery, rural residential, and cattle grazing. The proposed project has been designed in a manner that would allow guests to walk to the various uses that surround the site. It is anticipated that the proposed project will be compatible with existing and future land uses in the area.*

**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	Potentially Significant No Impact
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- d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible uses)?

*Discussion: Surrounding land uses include agriculture, rural residential, RV park, and recreation (water park). The soils map in the United States Department of Agriculture (USDA) Soil Survey of San Luis Obispo County, California, Paso Robles Area (1984) delineates four soil map units on the property: Arbuckle-Positas complex with 9 to 15 percent slopes, Arbuckle-Positas complex with 30 to 50 percent slopes, Arbuckle-San Ysidro complex with 2 to 9 percent slopes, and Xerofluvents-Riverwash association. Some of the soils found onsite may be considered desirable for agricultural use, specifically crop production, if irrigated; however, only one acre west of the existing residence is irrigated for use as pasture. Annual grassland habitat occurs on more than 30 acres of the property. Since the project is proposed for transient uses it would not likely be significantly impacted by cattle grazing or vineyard agricultural uses in the vicinity.*

- c) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (Sources: 1 & 3)

*Discussion: The project area will not divide or disrupt an established community as surrounding land uses are diverse and disconnected (rural residential, agricultural and an RV Park).*

**II. POPULATION AND HOUSING. Would the proposal:**

- a) Cumulatively exceed official regional or local population projections? (Sources: 1 & 3)

*Discussion: Since the project is consistent with the general plan and zoning for Parks and Open Space, and will not be developing new residential land uses, the proposed project will not result in exceeding regional or local population projections.*

- b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? (Sources: 1 & 3)

*Discussion: The project site is in an area zoned for Parks and Open Space type uses, such as the RV park, Firestone Vineyard and the water park. These projects along with Vina Robles winery/hotel is required to extend the water and sewer lines prior to additional phases. The extension of the water and sewer lines in this area of the City is part of the City's master plans, and all of these projects are required to contribute their fair share. Since the projects are part of a master plan, and there is no request for change of zoning or land use designation, the project will not induce substantial growth in an area either direct or indirectly.*

- c) Displace existing housing, especially affordable housing? (Sources: 1, 3, & 5)

*Discussion: The two existing houses will be removed to accommodate the resort project, however they are not considered affordable housing. Since the project is consistent with the general plan and zoning code, the resort project will not have a significant impact on the displacement of existing housing.*

**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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**III. GEOLOGIC PROBLEMS.** Would the proposal result in or expose people to potential impacts involving:

- a) Fault rupture? (Sources: 1, 2)

*Discussion: The primary sources of potential ground shaking in the Paso Robles area are the Rinconada Fault and San Andreas Fault. The Rinconada Fault system traverses the southwestern portion of the City. The San Andreas Fault is on the east side of the valley and runs through the community of Parkfield east of Paso Robles. Review of available information and examinations conducted as part of the General Plan Update EIR, indicate that neither of these faults is active with respect to ground rupture in Paso Robles.*

*The City of Paso Robles recognizes these geologic influences in the application of the Uniform Building Code (UBC) to all new development within the City. The potential for and mitigation of impacts that may result from fault rupture in the project area are identified and addressed in the General Plan EIR, pg. 4.5-8. Soils reports and structural engineering in accordance with local seismic influences would be applied in conjunction with any new development proposal. Based on standard conditions of approval, the potential for fault rupture and exposure of persons or property to seismic hazards is not considered significant. In addition, per requirements of the Alquist-Priolo Earthquake Fault Zones, only structures for human habitation need to be setback a minimum of 50 feet of a known active trace fault.*

- b) Seismic ground shaking? (Sources: 1, 2)

*Discussion: The City is located within an active earthquake area that could experience seismic ground shaking from the Rinconada and San Andreas Faults. The General Plan EIR identifies impacts resulting from ground shaking as less than significant and provides mitigation measures that will be incorporated into the design of any development proposal on the project site, including adequate structural design and not constructing over active or potentially active faults. Future building construction on the project site will be required to comply with current UBC codes.*

- c) Seismic ground failure, including liquefaction? (Sources: 1,2)

*Discussion: Per the General Plan and General Plan EIR, a portion of the project site is located in an area (Huer Huero Creek corridor) with soil conditions that have a potential for liquefaction or other type of ground failure due to seismic events. The EIR identifies measures to reduce this potential impact, which will be incorporated into this project. This includes a requirement to conduct a site-specific analysis of liquefaction potential. Based on analysis results, the design and construction of buildings on the project site may include specific design requirements to reduce the potential impacts on structures due to liquefaction to a less than significant level, as required by the UBC codes.*

- d) Seiche, tsunami, or volcanic hazard? (Sources: 1, 2)

*Discussion: The project area is approximately 30 miles from the Pacific Ocean, is approximately 800 feet above sea level, and is not located within close proximity to a lake, reservoir, or known volcano. As such, effects from seiche, tsunami, and volcanoes are not expected.*

# 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- e) Landslides or Mudflows? (Sources: 1, 2)

*Discussion: According to hazard maps contained in the General Plan (Figure S-4), the project is located in an area with a low potential of landslide risk. Effects from landslides or mudflows are not expected.*

- f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? (Sources: 1, 2, 3, & 4)

*Discussion: The project site is situated on alluvial terraces on the east side of Huer Huero Creek. The eastern end of the property is on the terrace, and the western portion slopes down to include a small portion of Huer Huero Creek. Most of the property is grazed annual grassland habitat with stands of blue oaks and valley oaks. There is a steep ravine in the middle of the property that has a dense forest of blue oaks. The proposed project is proposing grading for the construction of roads, parking lots and buildings. An Erosion Control Plan will be required to be submitted for review and approval of the City Engineer prior to commencement of site grading to insure compliance with the Municipal Code. Therefore, impacts due to erosion that may occur from this project are considered less than significant.*

- g) Subsidence of the land? (Sources: 1, 2, & 3)

*Discussion: Refer to c. above.*

- h) Expansive soils? (Sources: 4)

*Discussion: Per the General Plan EIR, Paso Robles is an area that has moderately expansive soils. Development projects proposed for the project site would be required to implement recommendations of a site specific soils report, which is routinely required as part of an application for a building permit, would be sufficient to mitigate hazard impact to a less than significant level.*

- i) Unique geologic or physical features? (Sources: 1 & 3)

*Discussion: There are no unique geologic or physical features on or near the project site.*

## IV. WATER. Would the proposal result in:

- a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (Sources: 1, 3, & 7)
- b) Exposure of people or property to water related hazards such as flooding? (Sources: 1, 3, & 7)
- c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)? (Sources: 1, 3, & 7)

# 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Changes in the amount of surface water in any water body? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Changes in currents, or the course or direction of water movement? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? (Sources: 1,3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Altered direction or rate of flow of groundwater? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Impacts to groundwater quality? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? (Sources: 1, 3, & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Discussion: a-i*

The property is situated on alluvial terraces on the east side of Huer Huero Creek in the northeastern corner of the City of Paso Robles. The project site is identified on the City's Hazard Mitigation as being located in the 100-year floodplain (Figure 6-10). The eastern end of the property is on the terrace, and the western portion slopes down to include a small portion of Huer Huero Creek. Two drainages pass through the property, each with a seasonal man-made stock pond actively used by cattle, and several small grassy swales are on the property that drain storm run-off from the flat terraces. The main drainage flows northeast through the center of the property. Surface flows are seasonal, but standing water may be present into late spring. Pond 2, the smaller of two stock ponds on the property, is located in this drainage, east of the existing residence. An earthen dam occasionally breaches, spilling water through an irrigated pasture to a storm drain at Airport Road. The main drainage is shaded by a blue oak woodland canopy covering the north-facing slope and drainage bottom. The entire length of the drainage is about half a mile, extending east of the property into adjacent rangeland. A smaller drainage meanders through the adjacent RV park and enters the property from the south, terminating at Pond 1. The riparian canopy is open, consisting of blue and valley oaks. Pond 1 is the larger pond on the property, located south of the existing residence.

With the development of the resort project there will be an increase in the amount of surface runoff as a result of the addition of roads, parking lots and buildings. The project has provided a grading and drainage plan that has incorporates Low Impact Design (LID) techniques. The project will be required to submit a final grading, drainage and erosion control plan for review by the City Engineer to insure compliance with City and State standards, in relation to impacts of the development on runoff, flooding, surface water and water quality, since the project will be required to meet City and State standards, development within a flood zone, historic rate of runoff and LID requirements. Additionally, there will be a requirement to utilize drought tolerant landscaping techniques and encouragement to use water conservation techniques to reduce the amount of water used by the project. It is not anticipated that there will be a significant impact to water in relation to drainage, flow, quality, quantity and flooding, since there are specific City and State standards that would prevent these water related impacts to be significant.

**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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**V. AIR QUALITY.** Would the proposal:

- |   |                          |                                     |                          |                                     |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Violate any air quality standard or contribute to an existing or projected air quality violation? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| b) Expose sensitive receptors to pollutants? (Sources: 1, 3, & 7)   | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Alter air movement, moisture, or temperature?  | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create objectionable odors?  | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*Discussion a – d:*

The San Luis Obispo 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 that would cause local and state standards to be exceeded. To aid in the assessment of project impacts subject to CEQA review, the APCD published the "CEQA Air Quality Handbook" in April 2003. This handbook establishes screening thresholds for measuring the potential of projects to generate air quality impacts. Generally, any project that has the potential to emit 10 lbs./day or more of reactive organic gases (ROG), oxides of nitrogen (NOx), sulfur dioxide (SO2), or particulate matter (PM10) or 50 lbs/day or more of carbon monoxide (CO) should be reviewed by the SLO APCD.

The resort project has been reviewed by the San Luis Obispo Air Pollution Control District. See the attached letter (Attachment C) from the APCD indicating the necessary mitigation measures for the construction and operation phases of the project to reduce emissions from this project to a less than significant level.

- APCD-1** Prior to any grading on the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption form must be filed with the District. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos (Air Toxics Control Measure) ACTM.
- APCD-2** If utility pipelines are scheduled for removal or relocation; or building are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP).
- APCD-3** The project shall be conditioned to comply with all applicable District regulations pertaining to the control of fugitive dust (PM-10) as contained in section 6.5 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:
  - a. Reduce the amount of the disturbed area where possible.
  - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
  - c. All dirt stockpile areas should be sprayed daily as needed.
  - d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
  - e. Exposed ground areas that are to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
  - f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
  - g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In

## 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible

### APCD-4 Construction Permit Requirements:

If portable equipment, 50 horsepower or greater, are used during construction, a California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the Districts CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50hp or greater;
- IC Engines;
- Concrete batch plants;
- Rock and pavement crushing;
- Tub grinders; and
- Trommel screens.

### APCD-5 Develop a comprehensive Construction Activity Management Plan designed to minimize the amount of large construction equipment operating during any given time period. The plan should be submitted to the District for review and approval prior to the start of construction. The plans should include but not be limited to the following elements:

- Schedule construction truck trips during non-peak hours to reduce peak hour emissions;
- Limit the length of the construction work-day period, if necessary; and,
- Phase construction activities, if appropriate.

### APCD-6 Standard NOx Control Measures for Construction Equipment

The standard construction equipment mitigation measures for reducing nitrogen oxide (NOx) emissions are listed below and in section 6.3.1 of the Air Quality Handbook. These measures are applicable to all projects where construction equipment will be used:

- Maintain all construction equipment in proper tune according to manufacturer's specifications.
- Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- Maximize to the extent feasible, the use of on-road heavy-duty equipment and trucks that meet the ARB's 1998 or newer certification standard for on-road heavy-duty diesel engines.
- All on and off-road diesel equipment shall not be allowed to 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.



**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Potentially Significant Impact	Potentially Significant Impact	No Impact
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**APCD 7      OPERATIONAL PHASE MITIGATION**

Greenhouse Gas Impacts and Mitigation

While California successfully passed Assembly Bill 32, California's Global Solutions Act of 2006, little guidance was provided to lead agencies regarding how to address greenhouse gas (GHG) impacts in the CEQA process. In the 2007 California legislative session, Senate Bill 97 was passed and required that the California Office of Planning and Research, by July 1, 2009, prepare and develop guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions as required by CEQA, including, but not limited to, effects associated with transportation or energy consumption. As guidelines are not currently available, the APCD suggests that projects subject to CEQA should quantify project related GHG emissions and identify feasible mitigation.

The APCD staff considered the operational impact of this proposed development by running the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. This indicated that operational phase impacts of the greenhouse gas known as carbon dioxide (CO2) will be approximately 19533 pounds per day in the summer and 18685 pounds per day in the winter. **While statewide/global thresholds have not yet been defined for GHG impacts, SLO County APCD recommends the implementation of feasible mitigation measures that minimize project related GHG impacts.** Examples of potential measures for this development include:

- Developments within Urban Reserve Lines with walking or bicycling access to nearby commercial and transit services thus reducing automobile dependence;
- Install on-site solar power infrastructure to offset grid-based power consumption.
- Provide low-speed neighborhood electric vehicles (NEVs) and charging stations for internal use by resort patrons.
- Replacing support equipment and vehicles that have internal combustion engines with their electric equivalents;
- Green building techniques such as:
  - Building positioning and engineering that eliminate or minimize the development's active heating and cooling needs;
  - Planting of native, drought resistant landscaping;
  - Use of locally or nearby produced building materials; and,
  - Use of renewable or reclaimed building materials.

Other measures suitable for GHG as well as ozone precursor mitigation are listed below in this comment letter.

Operational Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Operational sources may require APCD permits. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Electrical generation plants or the use of standby generator;
- Food and beverage preparation (primarily coffee roasters);
- Dry cleaning; and,
- Boilers.

**To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.**

**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Potentially Significant Impact	Potentially Significant Impact	Potentially Significant Impact

**APCD 8:** APCD staff has determined the operational impacts of this development by running the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. The results of the model using conservative County average trip distances demonstrated that the operational impacts will (likely exceed the APCD's CEQA Tier II significance threshold value of **25 lbs/day** for nitrogen oxides (NOx), reactive organic gases (ROG) and particulate matter (PM10) as shown below:

Season	Project Emissions by Pollutant (lbs/day)		
	ROG	NOx	PM10
Summer	28.90	37.24	31.54
Winter	32.30	47.13	31.52

**As a result of this estimated threshold exceedence, this project must implement all applicable Standard Mitigation Measures and at least 10 Additional Mitigation Measures listed below.** Should this project move forward, the APCD will consider the overall air quality impacts from this project to have been reduced to a level of insignificance with the implementation of these mitigation measures. Other measures may be proposed as replacements by contacting the APCD's Planning Division at 781-5912.

**Standard Measures (Include all standard mitigation measures marked below)**

- Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
- Provide on-site eating, refrigeration and food vending facilities to reduce employee lunchtime trips.
- Provide preferential carpool and vanpool parking spaces.
- Provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees.
- Include easements or land dedications for bikeways and pedestrian walkways.
- Provide continuous sidewalks separated from the roadway by landscaping and on-street parking. Adequate lighting for sidewalks must be provided, along with crosswalks at intersections.

**Additional Measures (Include at least 10 of the following)**

**Site Design Mitigation for this Project**

- Increase street shade tree planting.
- Increase shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
- Provide on-site banking (ATM) and postal services.
- Provide on-site child care facilities for employees.
- Provide on-site housing for employees.
- Implement on-site circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment with designated walkways.
- Provide pedestrian signalization and signage to improve pedestrian safety.
- If the project is located on an established transit route, improve public transit accessibility by providing transit turnouts with direct pedestrian access to the project.
- Provide outdoor electrical outlets to encourage the use of electric appliances and tools.
- Increase number of bicycle routes/lanes.

**Transportation Demand Mitigation**

- If the project is located on an established transit route, improve public transit accessibility by providing a transit turnout with direct pedestrian access to the project or improve existing transit stop amenities.
- Provide incentives to employees to carpool/vanpool, take public transportation, telecommute, walk, bike, etc by implementing the Transportation Choices Program. The applicant should Contact SLO Regional Rideshare at 541-2277 to receive free consulting services on how to start and maintain a

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ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Less Than Significant Impact	No Impact
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- program.
- Provide Transportation Choices Program information centers on alternative transportation modes at the site (i.e. a transportation kiosk). Contact SLO Regional Rideshare for appropriate materials at 541-2277.
- Install electric vehicle charging stations.
- Employ or appoint an Employee Transportation Coordinator.
- Implement an APCD approved Trip Reduction Program.
- Provide for shuttle/mini bus service.
- Implement a lunch-time shuttle to reduce single occupant vehicle trips.
- Participate in an employee "flash pass" program, which provides free travel on transit buses.

Energy Efficiency Measures

- Shade tree planting along southern exposures of buildings to reduce summer cooling needs.
- Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs.
- Use built-in energy efficient appliances, where applicable.
- Use double-paned windows.
- Use low energy parking lot and street lights (e.g. sodium).
- Use energy efficient interior lighting.
- Use low energy traffic signals (e.g. light emitting diode).
- Install door sweeps or weather stripping if more energy efficient doors and windows are not available.
- Install high efficiency or gas space heating.
- Use high efficiency gas or solar water heaters.

Operational Permit Requirements:

If any of the following equipment is present at the site either during construction or in the operational phase of the project, Contact Gary Willey of the District's Engineering division at (805) 781-5912 for specific information regarding permitting requirements:

- Portable generators and equipment with engines that are 50hp or greater;
- Electric generation plants of the use of standby generator;
- Boilers; and
- IC Engines

To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering division at (805) 781-5912 for specific information regarding permitting requirements.

**VI. TRANSPORTATION/CIRCULATION.** Would the proposal result in:

- a) Increased vehicle trips or traffic congestion?      
 (Sources: 1, 3, & 7)

*Discussion: A Traffic Study was prepared by Omni Means in April 2008 (Attachment D) to study the traffic and circulation affects of the proposed resort project on the Airport Road corridor.*

The City Engineer reviewed the traffic study and provided the following determinations and conclusions:

The development of the Handley Resort project will incrementally affect operations on the intersection of Airport Road and SR 46E, and will thereby affect overall operations of Highway 46 East.

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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Less Than Significant Impact	No Impact
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Caltrans is currently in the process of developing a Route 46E Comprehensive Corridor Study. The City is currently in the process of developing an updated traffic model with the intention of updating the Circulation Element of the General Plan. Once the documents referenced above have been adopted by the City Council, transportation impact fees will be amended to reflect new improvement projects which will mitigate traffic impacts from development in the project vicinity, including this project.

The Destino Paso project will be conditioned to pay transportation development impact fees in effect at the time of occupancy. These fees will be based on the results of the studies and improvements noted above. The calculation of the fees will not include consideration of fees currently in effect or those that may have been in effect at the time the entitlement application was made or in effect at the time of submittal of a building permit.

In order to adequately mitigate its traffic related impacts to a level of less than significant, the following mitigation measures need to be applied to this project:

**Mitigation Measures:**

**T-1. The project will be subject to traffic impact and other development impact fees in effect at the time of occupancy of the project. Traffic mitigation will include the deposit of \$1,600,000 towards construction of a bridge over the Huer Huero proportionally applied to the incremental development of the project. When transportation impact fees are updated by council action, the final fee obligation shall be equal to that defined by the new fee structure.**

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion: There would be no hazards related to the improvements of Airport Road and there are no incompatible uses. Airport Road will be improved per City Standards including any necessary turn lanes.*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Inadequate emergency access or inadequate access to nearby uses? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion: The Fire Marshal has reviewed the project and does not have any concerns with access in to or out of the project. Internally the project will be required to meet the minimum 20-foot wide driveway standards set by the Emergency Services Department.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Insufficient parking capacity on-site or off-site? (Sources: 1, 3, 7, & 8) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion: The project has been designed to comply with the parking required by the Parking Ordinance.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Hazards or barriers for pedestrians or bicyclists? (Source: 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

*Discussion: The project has been designed to provide a pedestrian/bike trail to connect the various uses on the site, additionally the path will allow connection to the RV Park to the south. The street improvements for Airport Road will also include a bike lane. There would not be hazards or barriers for pedestrians or bicyclists as a result of this project.*

- f) Conflicts with adopted policies supporting alternative

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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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transportation (e.g., bus turnouts, bicycle racks)?  
(Sources: 1 & 8)

*Discussion: The project will include bike racks, and also provide shuttle services as an amenity of the resort project. The City bus system does not indicate Airport Road as an established route. There will not be any conflicts with established adopted policies.*

g) Rail, waterborne or air traffic impacts?

*Discussion: There are no impacts with rail or waterborne modes of transportation. See section IXc related to Hazards and airport related impacts.*

## **BIOLOGICAL RESOURCES.** Would the proposal result in impacts to:

- a) Endangered, threatened or rare species or their habitats (including but not limited to: plants, fish, insects, animals, and birds)?
- b) Locally designated species (e.g., heritage trees)?
- c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?
- d) Wetland habitat (e.g., marsh, riparian and vernal pool)?
- e) Wildlife dispersal or migration corridors?

*Discussion a-e: Existing use of the site includes cattle grazing, an access road from Airport Road, and one single family home with adjacent barns and outbuildings, including a caretaker residence and warehouse.*

*Althouse and Meade prepared a Biological Report dated August 2006 and revised in January 2008 (Attachment E). The Report indicated that the project site was surveyed for biological resources on November 17, 2005 and January 5, February 10, and 27, and March 30, May 2 and 31, and July 31, 2006, and August 29, 2007 (Table 3) and conducted a search of the California Natural Diversity Database (CNDDDB March 6, 2006 data) and the California Native Plant Society (CNPS) On-line Inventory of Rare and Endangered Plants of California for rare species that could occur within five miles of the project site. The Handley property contains seven habitat types: irrigated pasture, anthropogenic, annual grassland, blue oak woodland, seasonal pond, wetland, and riparian. Annual grassland habitat occurs on more than 30 acres of the property and includes non-native annual grass species. A floristic survey of the property identified 125 species of plants, including 2 rare species. Wildlife surveys on the property observed 95 animal species, including 2 crustaceans, 5 amphibians, 9 reptiles, 58 birds, and 21 mammals. The site has the appropriate habitat to support 7 rare plant species (Dwarf Calyncadenia, Obispo Indian paintbrush, Lemmon's Jewel-flower, Douglas' spineflower, Yellow-flowered EriasturmRound-leaved Erodium, and Shinging Navarretia). Two of the seven plant species, Douglas' spineflower and shing navarretia, were identified on the property in the fall of 2005. The project site also has the appropriate habitat for 11 rare animals (pallid bat, burrowing owl, vernal pool fairy shrimp, southwestern pond turtle, horned lark, loggerheard shrike, California linderiella, San Joaquin pocket mouse, western spadefoot toad, American badger, and San Joaquin kit fox). Preliminary site surveys did not reveal the presence of rare animals.*

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ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Less Than Significant Impact	Potentially Significant No Impact
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*A & T Arborists prepared an Arborist Report and a Tree Preservation Plan (Attachment F) for the project site which includes an inventory and survey of all trees (blue oaks) on the periphery of the ravine located in the middle of the property and an inventory all other oak trees on the property. The inventory documented approximately 300 oak trees on the property. According to the development plan, no oak trees will be removed to accommodate future development on the project site; however, 3 trees will receive slight impacts during construction, and approximately 30 trees will have intermittent use under the canopies after implementation of the development plan.*

*Since this site is in an area that is considered to be a migration corridor for the Kit Fox, an evaluation was prepared by Mike McGovern of Althouse & Meade which was reviewed by Department of Fish and Game. The Department reviewed the evaluation and adjusted the score of the Habitat Evaluation Score to 76, and concluded that the project would be required to mitigate at a 3:1 mitigation ratio.*

*Specific biological mitigation measures are as follows:*

Biological Resources Mitigation Measures

**BIO-1:** *A Wetland Delineation was prepared for the project in June 2008 (see Attachment G). Of the four areas of the site evaluated for wetlands, two of the sites (sites 1 & 3) were determined to be a Federal and State Wetland. Since wetlands to occur on the project site, the following mitigation measures shall be applied:*

- i. Permits must be obtained, as appropriate, from the California Department of Fish and Game (DFG Code 1603), the U.S. Army Corps of Engineers (Section 404 of the Clean Water Act), the Regional Water Quality Control Board (Section 401 of the Clean Water Act).*
- ii. An on-site monitor will be required during construction activities in areas containing jurisdictional wetlands.*
- iii. Any mitigation, monitoring, and reporting plan will be prepared and approved by the City and other jurisdictional agencies, as appropriate (i.e., California Department of Fish and Game, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board). Wetland mitigation will increase the aerial extent of wetland habitat on site at a two-to-one ratio (created wetland area to impacted wetland area).*
- iv. Mitigation implementation and success will be monitored for a minimum of three years, depending on the jurisdictional agencies' requirements.*

**BIO-2:** Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during breeding season from March 15 to August 15. If construction activities must be conducted during this period, nesting bird surveys shall take place within one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet nest until chicks are fledged. Construction activities shall observe a 300-foot buffer for occupied raptor nests. A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging or the buffer zone and make recommendations on additional monitoring requirements.

Oak tree impacts and mitigation requirements shall be compiled by the project Arborist. The following mitigation recommendations are modeled after guidelines set forth in the Paso Robles Tree Ordinances (City of Paso Robles - Ordinance No. 835 N.S.).

**BIO-3:** Tree canopies and trunks within 50-feet of proposed disturbance zones should be mapped and numbered by a qualified biologist and a licensed land surveyor. Data for each tree should include date, species, number of stems, diameter at breast height (dbh) of each stem, critical root zone (CRZ) diameter, canopy diameter, tree height, health, habitat notes, and nests observed. Completed 2005, See Arborist Report by A&T Arborists along with plan by NCF, Attachment F).

**BIO-4:** An oak tree protection plan shall be prepared and approved by the City of Paso Robles.

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		Potentially Significant		
	Potentially Significant Impact	Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ISSUES (and Supporting Information Sources):				

**BIO-5:** Impacts to the oak canopy or critical root zone (CRZ) should be avoided where practicable. Impacts include pruning, an ground disturbance within the dripline or CRZ of the tree (whichever is greater), and trunk damage. The current plans shows encroachments into trees No. 1, 59, 49 and 48 show encroachments into the CRZ for footings of casitas buildings. The project needs to be redesigned so that there is not encroachment into the CRZ of any oaks.

**BIO-6:** Impacted oaks shall be mitigated for by planting one 24-inch boxed tree for impacts up to 25-percent of the root zone or canopy. Two 24-inch boxed trees shall be planted for trees within impacts of 50-percent of the tree, and so on. The mitigation tress shall be incorporated into the landscape plan.

**BIO-7:** Replacement oaks for removed trees must be an equivalent to 25-percent of the diameter of the remove tree(s). For example, the replacement requirement for removal of two trees of 15 inches dbh (30 total diameter inches), would be 7.5 inches (30-inches removed x 0.25 replacement factor). The requirement could be satisfied by planting five 1.5-inch trees, or three 2.5-inch trees, or any other combination totaling 7.5-inches. A minimum of two 24-inch box, 1.5-inch trees shall be required for each oak tree removed.

**BIO-8:** Replacement trees should be seasonally maintained (browse protection, weed reduction, and irrigation, as needed) and monitored annually for at least 7 years.

**BIO-9:** An Arborist Report was prepared by A&T Arborists for this project (see Attachment F). The report indicates that all trees will be preserved on this site except for Trees No. 18 & 19, which are trees that are in poor condition and are needed to be removed in order to allow for the road improvements to Airport Road. The request to remove these two trees will need to go forward to the City Council. In the event that the Council does not approve the removal of the two trees, they will need to be preserved in accordance with the Oak Tree Ordinance.

**BIO-10:** Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of El Paso de Robles, Community Development, Planning Division that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of **51** acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.) requires that all aspects if this program must be in placc before County permit issuance or initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor arca within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total **\$127,500**. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase **51** credits in a Department-approved conservation bank, which would provide for the protection in

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ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Potentially Significant Impact	Potentially Significant Impact	Potentially Significant Impact
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perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total **\$127,500**. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

**BIO-11: Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:

- i. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist 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.
- ii. **The qualified biologist shall conduct weekly site visits during site-disturbance activities** (i.e. grading, disking, excavation, stockpiling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-14 through BR-23. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-14iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.
- iii. **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 biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFG 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, work shall stop until such time the USFWS determines 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 USFWS. 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.

- iv. **In addition**, the qualified biologist 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:
    - Potential kit fox den: 50 feet
    - Known or active kit fox den: 100 feet
    - Kit fox pupping den: 150 feet



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		Potentially Significant	Potentially Significant	Potentially Significant
		Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ISSUES (and Supporting Information Sources):				

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 by a qualified biologist shall be required during ground disturbing activities.

**BIO-12:** Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate the following as a note on the project plans: *“Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox”*. Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.

**BIO-13:** 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.

**BIO-14:** Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox’s life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

**BIO-15:** During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and 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 biologist and allowed to escape unimpeded.

**BIO-16:** 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. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped

**BIO-17:** During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

**BIO-18:** 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.

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	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Potentially Significant Impact	Potentially Significant Impact	No Impact
ISSUES (and Supporting Information Sources):					

**BIO-19: 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 applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFG by telephone. 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 CDFG for care, analysis, or disposition.

**BIO-20: Prior to final inspection, or occupancy, whichever comes first,** should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

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

**Monitoring (San Joaquin Kit Fox Measures BR-10 to BR-20): Compliance will be verified by the City of Paso Robles, Planning Division in consultation with the California Department of Fish and Game. As applicable, each of these measures shall be included on the construction plans.**

**American badger**

American badger could occur in the project areas. The project will result in a net loss of badger habitat. Mitigation is not required for loss of badger habitat. To ensure take of live badgers does not occur, the following mitigation recommendation shall be implemented:

**BIO-21: A pre-construction survey shall be conducted within thirty days of beginning work on the project** to identify if badgers are using the site. The results of the survey shall be sent to the project manager, CDFG, and the City of El Paso de Robles.

If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property, and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens on the property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1 and February 1 all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the property during the pre-construction survey, the CDFG wildlife biologist for the area shall be contacted to review current allowable management practices.

**BIO-22:** Prior to removal of any trees over 20-inches dbh, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming may harbor sensitive bat species or maternal bat colonies. Maternal bat colonies may not be disturbed.

**BIO-23:** All occupied nests shall be mapped using GPS or survey equipment. The mapped locations shall be placed on a copy of the grading plans with a 300-foot buffer indicated. Work shall not be allowed within the 300 foot buffer while the nest is in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas. The project biologist may use discretion to reduce or increase the buffer distance based on the sensitivity level of the nest adjacent work.

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ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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**BIO-24:** Occupied nests of special status bird species that are within 300-feet of project work areas shall be monitored bi-monthly through the nesting season to document nest success and check for project compliance with buffer zones. Once nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work can commence.

**BIO-25:** Prior to the issuance of grading and/or construction permit(s), if work is expected to impact seasonal ponds on the property, a biologist qualified to conduct surveys for sensitive fairy shrimp species according to USFWS protocols shall conduct a fairy shrimp habitat assessment to determine the potential for fairy shrimp to occur on site. If potential habitat is present, a protocol survey shall be conducted. If vernal pool fairy shrimp (*branchinecta lynchi*) are discovered, consultation with the USFWS must occur.

**VIII. ENERGY AND MINERAL RESOURCES.** Would the proposal:

- a) Conflict with adopted energy conservation plans? (Sources: 1)

*Discussion: The proposed project will not conflict with adopted energy conservation plans. The project will be required to comply with California Energy Code.*

- b) Use non-renewable resources in a wasteful and inefficient manner? (Sources: 1)

*Discussion: The project will not use or promote the use of non-renewable resource in a wasteful and inefficient manner.*

- c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? (Sources: 1, 7)

*Discussion: The project is not located in an area of known mineral resources that would be of future value to the region and the residents of the State.*

**IX. HAZARDS.** Would the proposal involve:

- a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals, or radiation)? (Sources: 1 & 7)

*Discussion: The proposed project does not include the use, transport, or storage of hazardous materials and will not result in a risk of accidental explosion or release of hazardous substances.*

- b) Possible interference with an emergency response plan or emergency evacuation plan? (Sources: 1 & 7)

*Discussion: The proposed project will not interfere with an emergency response plan or emergency evacuation plan since it is not a designated emergency response location to be used for staging or other uses in an emergency.*

**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):

Potentially Significant Impact      Potentially Significant Unless Mitigation Incorporated      Less Than Significant Impact      No Impact

- c) The creation of any health hazard or potential hazards? (Sources: 1, 7 & 11)

*Discussion: All projects in the Airport SubArea/Overlay, must be consistent with the ALUP. (Refer to ALUP Section 4.5) The following mitigation measures are recommended to ensure compliance with the ALUP and to reduce potentially significant effects of airport-related hazards to a less than significant level:*

**Hazard Mitigation Measures**

*H-1 – Airport and Aircraft Safety: Development of any new land use on the project site shall not create an undue public safety risk from overflight of aircraft. The eastern portion of project site is in Airport Safety Zone 3 for turning and sideline zones and the western portion is Safety Zone 4 for outer approach and departure zones. All development plan, proposed use, or subdivision on the project site is subject to the nonresidential land use densities and open space requirements as provided in Chapter 4 of the Paso Robles ALUP which are excerpted below (Table 5, ALUP, 2007).*

<i>Handley Property Airport Safety Areas</i>	<i>Maximum Land Use Density (persons/acre)</i>	<i>Maximum Single Acre Land Use Density (persons/acre)</i>	<i>Maximum Percent Open Space (% gross area)</i>
<i>Safety Zone 2</i>	<i>20</i>	<i>40</i>	<i>30<sup>1</sup></i>
<i>Safety Zone 3</i>	<i>60</i>	<i>120</i>	<i>25<sup>2</sup></i>
<i>Safety Zone 4</i>	<i>40</i>	<i>120</i>	<i>20<sup>2</sup></i>

*<sup>1</sup> No structures, congregations of equipment or vehicles, or public venues shall be located within 250 feet of any extended runway centerline and within 6000 feet of the corresponding runway end.*

*<sup>2</sup>When feasible, development should be planned in a manner that maintains maximum open space within 50 feet of any extended runway centerline.*

*H-2 - Airspace Protection: No object or structure may be erected, and no plant allowed to grow, to penetrate any "imaginary surface" as defined in Federal Aviation Regulations Part 77. Any proposed feature approaching these surfaces will be referred to the airport manager for review and recommendation. Building within the height limits of this specific plan will not approach the FAA imaginary surfaces.*

*H-3 - Operations Interference: No use shall be established which produces visually significant quantities of smoke.*

*H-4 - Bird Attractants: No use shall be established and no activity conducted which attracts birds to the extent of creating a significant hazard of bird strikes. Examples are outdoor storage or disposal of food or grain, or large, artificial water features. This provision is not intended to prevent enhancement or protection of existing wetlands, the mitigation of impacts to wetlands or construction of required detention basins.*

*H-5 Avigation Easements: At the time of subdivision development, avigation easements shall be recorded for each affected parcel in a form approved by the County of San Luis Obispo Airport Land Use Commission.*

*H-6 Real Estate Disclosure: All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport area. The format of the disclosure shall be approved by the County of San Luis Obispo Airport Land Use Commission.*

- d) Increased fire hazard in areas with flammable brush, grass, or trees? (Sources: 1 & 7)

**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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*Discussion: The project site is within a low to medium wildfire hazard area according to the City's Hazard Mitigation Study, Figure 6-18. The proposed GPA/Rezoning is not expected to increase fire hazard in the area. Future development of the site will be required to be in compliance with Uniform Building and Fire Codes, related building safety codes, and City and County brush and grass clearance requirements.*

**X. NOISE.** Would the proposal result in:

- |   |                          |                                     |                          |                                     |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Increases in existing noise levels? (Sources: 1, 7, 8 & 11)        | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exposure of people to severe noise levels? (Sources: 1, 7, 8 & 11) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |

*Discussion: The City of Paso Robles has adopted noise standards through its Noise Element. The City's noise criteria and standards were developed based on the California Department of Health, Office of Noise Control, noise compatibility guidelines for various land uses, which are included in the City of Paso Robles Noise Element as Figure N-1, as well as the California Department of Transportation (CalTrans) and the Federal Highway Administration. These guidelines are used to assess whether or not transportation noise can potentially pose a conflict with land development.*

Because the project involves a destination resort, City noise standards that address hotels and motels would apply. These standards establish both exterior and interior noise limits for noise compatibility. The normally acceptable outdoor standard for this land use is 65 dBA CNEL, under which the specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements. The conditionally acceptably threshold is 70 dBA CNEL, under which new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made, and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice. The normally acceptable indoor standard for this land use is 45 dBA CNEL.

According to the City of Paso Robles General Plan Noise Element, noise due to construction shall not exceed 70 dBA during the day (7:00 a.m. to 10:00 p.m.) and 65 dBA at night (10:00 p.m. to 7:00 a.m.) at the property line of the receiving land use. Since noise levels associated with heavy equipment typically range from 75-95 dBA at 50 feet from the source, operation of construction equipment has the potential to exceed City thresholds, and may require mitigation. Possible mitigation measures related to sources of construction noise are included at the end of this memorandum.

In order to insure compliance with the City's noise element, Rincon Consultants, Inc. was hired by the applicant to prepare a noise study for the project. The study is attached to this initial study (Attachment H). The following mitigation measures were identified in the study as needing to be complied with to bring the projects noise impacts to a level of non-significance:

*Recommended Mitigation Measures*

**Construction Noise Attenuation**

- N-1: *Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with a muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the study area without said muffler.*
- N-2: *All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.*
- N-3: *Whenever feasible, electrical power shall be used to run air compressors and similar power tools.*
- N-4: *Construction activity for site preparation and for future development shall be limited to the hours between 7:00 AM*

## 10 Environmental Checklist Form

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Less Than Significant Impact	Potentially Significant No Impact
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*and 7:00 PM, Monday through Friday and Saturday 8:00 AM to 6:00 PM. No construction shall occur on Sundays or State holidays (i.e. Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours.*

- N-5: For all construction activity on the project site, noise attenuation techniques shall be employed as needed to ensure that noise remains below 65 dBA at nearby residences. Such techniques may include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and affected uses.*
- N-6: Provide notification to home occupants adjacent to the study area at least 24 hours prior to initiation of construction activities that could significantly affect outdoor or indoor living areas. This notification shall include the anticipated hours and duration of construction and a description of noise reduction measures.*
- N-7: The applicant shall provide a telephone number for local residents to call to submit complaints associated with construction noise. The number shall be posted along the Airport Road portion of the site and shall be easily viewed from adjacent public areas.*

### **Exterior Noise Attenuation**

- N-8: Structures located within unacceptable noise contours shall provide attenuation of exterior usable area noise levels to below 65 dBA CNEL. This can be accomplished using one or more of the following methods:*
- N-9: A structural setback from the roadways that generate the unacceptable noise levels;*
- N-10: Installation of vegetated berms, in combination with structural setbacks from the roadways that generate the unacceptable noise levels;*
- N-11: Locate exterior usable areas that border sources of unacceptable noise levels within an interior courtyard.*

### **Interior Noise Attenuation**

- N-12: The walls, doors and windows of units or buildings that face Airport Road shall be constructed to include sufficient noise attenuation to reduce interior levels to a CNEL of 45 dBA. This would require at a minimum the use of double-paned windows on all floors for those windows that face Airport Road.*
- N-13: Windows should have a minimum Standard Transmission Class (STC) of 35 and be properly installed, weather-stripped, and insulated.*
- N-14: Doors with a minimum STC of 35 should be used for doorways facing Airport Road and should be insulated in conformance with California Title 24 requirements.*
- N-15: The exterior wall facing material shall be stucco and/or shall be designed for a minimum STC of 45.*
- N-16: Roof or attic vents facing Airport Road should be baffled.*
- N-17: Air conditioning or a mechanical ventilation system should be included in development plans so that windows and doors may remain closed to reduce interior noise to the extent possible.*

**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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**XI. PUBLIC SERVICES.** Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fire protection? (Sources: 1, 3, 6, & 7)                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Police Protection? (Sources: 1, 3, & 7)                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Schools? (Sources: 1, 3, & 7)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Maintenance of public facilities, including roads? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Other governmental services? (Sources: 1,3, & 7)                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*Discussion: a.-e. Since the project complies with the Zoning and Land Use designations for the site, and meets the goals and objectives of the General Plan and Economic Strategy, it is not anticipated that the proposed project will impact public services, such as fire and police protection, schools, maintenance of public facilities and other governmental services. The project will be required to mitigate impacts in the form of development impact fees as established by the city per AB 1600.*

**XII. UTILITIES AND SERVICE SYSTEMS.** Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Power or natural gas? (Sources: 1, 3, & 7)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Communication systems? (Sources: 1, 3, & 7)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Local or regional water treatment or distribution facilities? (Sources: 1, 3, & 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Sewer or septic tanks? (Sources: 1, 3, 7, & 8)                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Storm water drainage? (Sources: 1, 3, & 7)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Solid waste disposal? (Sources: 1, 3, & 7)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| g) Local or regional water supplies? (Sources: 1, 3, & 7)                             | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

*Discussion a-g: Since the project complies with the Zoning and Land Use designations for the site, and meets the goals and objectives of the General Plan and Economic Strategy, it is not anticipated that the proposed project will impact public services, such as fire and police protection, schools, maintenance of public facilities and other governmental services. The project will be required to mitigate impacts in the form of development impact fees as established by the city per AB 1600.*

**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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*In terms of sewer/septic and water supply, the project will be required to comply with City Standards and provide the necessary information so that the Engineering and Public Works Dept. can determine if any additional facility upgrades are needed to serve the project.*

**XIII. AESTHETICS.** Would the proposal:

- a) Affect a scenic vista or scenic highway? (Sources: 1, 3, & 7)
- b) Have a demonstrable negative aesthetic effect? (Sources: 1, 3, & 7)

*Discussion for a-b: The project is not located on a scenic highway. Part of the development review process is for architectural plans to be reviewed and approved by the Planning Commission. Based on the development review process, this project will not have a demonstrable negative aesthetic effect.*

- c) Create light or glare? (Sources: 1, 3, & 7)

*Discussion: Elevated light levels may be experienced on site as a result from development on the project, but all light fixtures will be shielded and downcast as required per city regulations.*

**XIV. CULTURAL RESOURCES.** Would the proposal:

- a) Disturb paleontological resources? (Sources: 1, 3, & 7)
- b) Disturb archaeological resources? (Sources: 1, 3, & 7)
- c) Affect historical resources? (Sources: 1, 3, & 7)
- d) Have the potential to cause a physical change which would affect unique ethnic cultural values? (Sources: 1, 3, & 7)
- e) Restrict existing religious or sacred uses within the potential impact area? (Sources: 1, 3, & 7)

*Discussion for a - e: C.A. Singer and Associates, Inc. completed a cultural resources survey and impact assessment for the project site in July 2006. The assessment included a review of archaeological records and reports on nearby properties and a Phase I Archaeological Survey of the project site. No archaeological sites are recorded on or adjacent to the property and no prehistoric or early historic resources have been found in the immediate area. The site reconnaissance survey did not reveal any evidence of prehistoric or historic archaeological resources on the property. The Phase I Report does not recommend further archaeological or historical investigations on the property.*

**XV. RECREATION.** Would the proposal:

- a) Increase the demand for neighborhood or regional parks or other recreational facilities? (Sources: 1, 3, & 7)

*Discussion for a: The proposed resort project will include recreational activities as accessory uses to the resort project, such as swimming pools, spa facilities, walking paths etc. Since the project is not residential, the project will not increase the demand for neighborhood or regional parks and facilities.*



**10 Environmental Checklist Form**

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) Affect existing recreational opportunities? (Sources 1, 3, & 7)

*Discussion: No recreational activities currently or historically are taking place on the proposed site.*

**XVI. MANDATORY FINDINGS OF SIGNIFICANCE.**

- 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? (Sources: 1 & 3)

*Discussion: Significant existing natural resources have been identified on the project site and mitigation measures are recommended to minimize effects of the proposed development activities.*

- b) Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals? (Sources: 1 & 3)

*Discussion: The project will not likely have a potential to achieve short-term, to the disadvantage of long-term environmental goals.*

- c) 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.) (Sources: 1 & 3)

*Discussion: The project will not result in significant cumulative impacts.*

- d) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: 1 & 3)

*Discussion: The project will not result in substantial adverse environmental impacts on human beings, either directly or indirectly.*

## 11. EARLIER ANALYSIS AND BACKGROUND MATERIALS

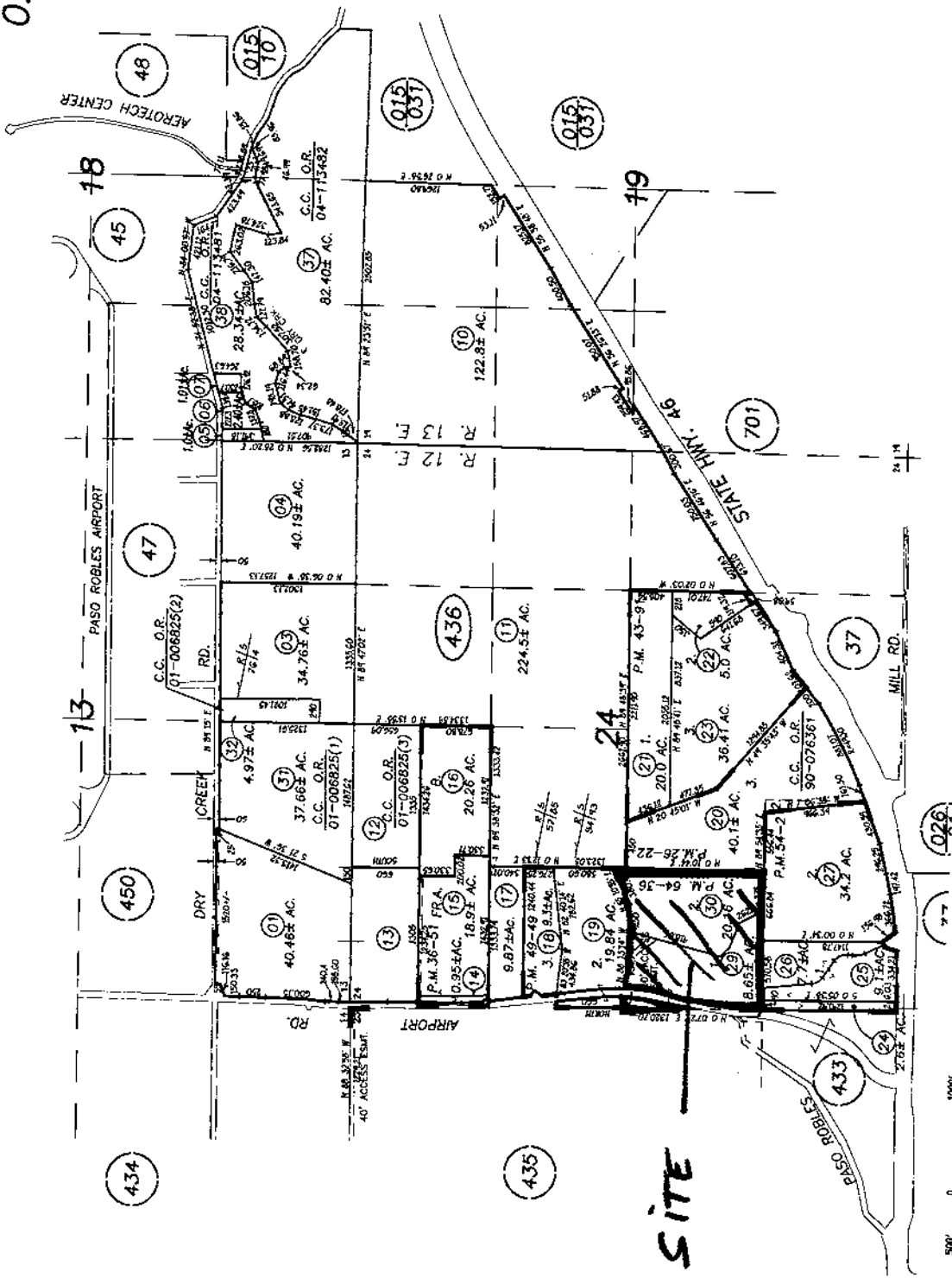
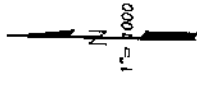
Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). The earlier documents that have been used in this Initial Study are listed below.

Reference Number	Document Title	Available for Review At
1	City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
2	Seismic Safety Element for City of Paso Robles	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
3	Final Environmental Impact Report City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
4	Soil Survey of San Luis Obispo County, California Paso Robles Area	USDA-NRCS, 65 Main Street-Suite 108 Templeton, CA 93465
5	Uniform Building Code	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
6	City of Paso Robles Standard Conditions of Approval For New Development	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
7	City of Paso Robles Zoning Code	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
8	City of Paso Robles, Water Master Plan	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
9	City of Paso Robles, Sewer Master Plan	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
10	Federal Emergency Management Agency Flood Insurance Rate Map	City of Paso Robles Community Development Department 1000 Spring Street, Paso Robles, CA 93446
11	Paso Robles Municipal Airport Land Use Plan	San Luis Obispo County Airport Land Use Commission (ALUC) 976 Osos Street, Room 300, San Luis Obispo, CA 93408

### Attachments:

- Exhibit A – Vicinity Map
- Exhibit B – Mitigation Summary Table
- Exhibit C - APCD Letter
- Exhibit D – Traffic Impact Study
- Exhibit E – Preliminary Biological Study
- Exhibit F – Tree Preservation Plan/Arborist Report
- Exhibit G – Wetland Delineation
- Exhibit H - Noise Study

025-436



CITY OF PASO ROBLES  
 ASSESSOR'S MAP, COUNTY OF  
 SAN LUIS OBISPO, CA  
 BOOK 025 PAGE 436

.D.B.M.  
 .D.B.M.

**Exhibit A**  
 Vicinity Map  
 PD 08-002, et al  
 (Handley)

500' 0 1000'  
 THIS MAP IS PREPARED FOR  
 ASSESSMENT PURPOSES ONLY

REVISIONS	LS	DATE
	06-18-05	12-05-05
	07-28-05	01-03-07
	07-31-05	02-28-07
	07-31-05	03-01-07

025-431

## **EXHIBIT B – MITIGATION SUMMARY TABLE**

### **LAND USE:**

- LU-1:** Prior to the issuance of a building permit for any casitas building, the kitchen facilities shall be omitted from the plans.

### **TRAFFIC:**

- T-1:** The Destino Paso project will be conditioned to pay transportation development impact fees in effect at the time of occupancy. The calculation of the fees will not include consideration of fees currently in effect or those that may have been in effect at the time the entitlement application was made or in effect at the time of submittal of a building permit.

### **AIR POLLUTION CONTROL DISTRICT:**

- APCD-1:** Prior to any grading on the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption form must be filed with the District. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos (Air Toxics Control Measure) ACTM.
- APCD-2:** If utility pipelines are scheduled for removal or relocation; or building are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHP).
- APCD-3:** The project shall be conditioned to comply with all applicable District regulations pertaining to the control of fugitive dust (PM-10) as contained in section 6.5 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:
- a. Reduce the amount of the disturbed area where possible.
  - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
  - c. All dirt stockpile areas should be sprayed daily as needed.
  - d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
  - e. Exposed ground areas that are to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
  - f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.

- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible

**APCD-4 Construction Permit Requirements:**

If portable equipment, 50 horsepower or greater, are used during construction, a California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the Districts CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50hp or greater;
- IC Engines;
- Concrete batch plants;
- Rock and pavement crushing;
- Tub grinders; and
- Trommel screens.

**APCD-5 Develop a comprehensive Construction Activity Management Plan** designed to minimize the amount of large construction equipment operating during any given time period. The plan should be submitted to the District for review and approval prior to the start of construction. The plans should include but not be limited to the following elements:

- Schedule construction truck trips during non-peak hours to reduce peak hour emissions;
- Limit the length of the construction work-day period, if necessary; and,
- Phase construction activities, if appropriate.

**APCD-6: Standard NOx Control Measures for Construction Equipment**

The standard construction equipment mitigation measures for reducing nitrogen oxide (NOx) emissions are listed below and in section 6.3.1 of the Air Quality Handbook. **These measures are applicable to all projects where construction equipment will be used:**

- Maintain all construction equipment in proper tune according to manufacturer's specifications.
- Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- Maximize to the extent feasible, the use of on-road heavy-duty equipment and trucks that meet the ARB's 1998 or newer certification standard for on-road heavy-duty diesel engines.
- All on and off-road diesel equipment shall not be allowed to 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.

#### **APCD 7 : OPERATIONAL PHASE MITIGATION**

##### Greenhouse Gas Impacts and Mitigation

While California successfully passed Assembly Bill 32, California's Global Solutions Act of 2006, little guidance was provided to lead agencies regarding how to address greenhouse gas (GHG) impacts in the CEQA process. In the 2007 California legislative session, Senate Bill 97 was passed and required that the California Office of Planning and Research, by July 1, 2009, prepare and develop guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions as required by CEQA, including, but not limited to, effects associated with transportation or energy consumption. As guidelines are not currently available, the APCD suggests that projects subject to CEQA should quantify project related GHG emissions and identify feasible mitigation.

The APCD staff considered the operational impact of this proposed development by running the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. This indicated that operational phase impacts of the greenhouse gas known as carbon dioxide (CO<sub>2</sub>) will be approximately 19533 pounds per day in the summer and 18685 pounds per day in the winter. **While statewide/global thresholds have not yet been defined for GHG impacts, SLO County APCD recommends the implementation of feasible mitigation measures that minimize project related GHG impacts.** Examples of potential measures for this development include:

- Developments within Urban Reserve Lines with walking or bicycling access to nearby commercial and transit services thus reducing automobile dependence;
- Install on-site solar power infrastructure to offset grid-based power consumption.
- Provide low-speed neighborhood electric vehicles (NEVs) and charging stations for internal use by resort patrons.
- Replacing support equipment and vehicles that have internal combustion engines with their electric equivalents;
- Green building techniques such as:
  - Building positioning and engineering that eliminate or minimize the development's active heating and cooling needs;

- Planting of native, drought resistant landscaping;
- Use of locally or nearby produced building materials; and,
- Use of renewable or reclaimed building materials.

Other measures suitable for GHG as well as ozone precursor mitigation are listed below in this comment letter.

Operational Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Operational sources may require APCD permits. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Electrical generation plants or the use of standby generator;
- Food and beverage preparation (primarily coffee roasters);
- Dry cleaning; and,
- Boilers.

**To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.**

**APCD 8:** APCD staff has determined the operational impacts of this development by running the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. The results of the model using conservative County average trip distances demonstrated that the operational impacts will (likely exceed the APCD's CEQA Tier II significance threshold value of **25 lbs/day** for nitrogen oxides (NOx), reactive organic gases (ROG) and particulate matter (PM10) as shown below:

Season	Project Emissions by Pollutant (lbs/day)		
	ROG	NOx	PM10
Summer	28.90	37.24	31.54
Winter	32.30	47.13	31.52

**As a result of this estimated threshold exceedence, this project must implement all applicable Standard Mitigation Measures and at least 10 Additional Mitigation Measures listed below.** Should this project move forward, the APCD will consider the overall air quality impacts from this project to have been reduced to a level of insignificance with the implementation of these mitigation measures. Other measures may be proposed as replacements by contacting the APCD's Planning Division at 781-5912.

**Standard Measures (Include all standard mitigation measures marked below)**

- Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
- Provide on-site eating, refrigeration and food vending facilities to reduce employee lunchtime trips.
- Provide preferential carpool and vanpool parking spaces.
- Provide shower and locker facilities to encourage employees to bike and/or

- walk to work, typically one shower and three lockers for every 25 employees.
- Include easements or land dedications for bikeways and pedestrian walkways.
- Provide continuous sidewalks separated from the roadway by landscaping and on-street parking. Adequate lighting for sidewalks must be provided, along with crosswalks at intersections.

**Additional Measures (Include at least 10 of the following)**

**Site Design Mitigation for this Project**

- Increase street shade tree planting.
- Increase shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
- Provide on-site banking (ATM) and postal services.
- Provide on-site child care facilities for employees.
- Provide on-site housing for employees.
- Implement on-site circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment with designated walkways.
- Provide pedestrian signalization and signage to improve pedestrian safety.
- If the project is located on an established transit route, improve public transit accessibility by providing transit turnouts with direct pedestrian access to the project.
- Provide outdoor electrical outlets to encourage the use of electric appliances and tools.
- Increase number of bicycle routes/lanes.

**Transportation Demand Mitigation**

- If the project is located on an established transit route, improve public transit accessibility by providing a transit turnout with direct pedestrian access to the project or improve existing transit stop amenities.
- Provide incentives to employees to carpool/vanpool, take public transportation, telecommute, walk, bike, etc by implementing the Transportation Choices Program. The applicant should Contact SLO Regional Rideshare at 541-2277 to receive free consulting services on how to start and maintain a program.
- Provide Transportation Choices Program information centers on alternative transportation modes at the site (i.e. a transportation kiosk). Contact SLO Regional Rideshare for appropriate materials at 541-2277.
- Install electric vehicle charging stations.
- Employ or appoint an Employee Transportation Coordinator.
- Implement an APCD approved Trip Reduction Program.
- Provide for shuttle/mini bus service.
- Implement a lunch-time shuttle to reduce single occupant vehicle trips.
- Participate in an employee "flash pass" program, which provides free travel on transit buses.

**Energy Efficiency Measures**

- Shade tree planting along southern exposures of buildings to reduce summer cooling needs.



- Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs.
- Use built-in energy efficient appliances, where applicable.
- Use double-paned windows.
- Use low energy parking lot and street lights (e.g. sodium).
- Use energy efficient interior lighting.
- Use low energy traffic signals (e.g. light emitting diode).
- Install door sweeps or weather stripping if more energy efficient doors and windows are not available.
- Install high efficiency or gas space heating.
- Use high efficiency gas or solar water heaters.

**Operational Permit Requirements:**

If any of the following equipment is present at the site either during construction or in the operational phase of the project, Contact Gary Willey of the District's Engineering division at (805) 781-5912 for specific information regarding permitting requirements:

- Portable generators and equipment with engines that are 50hp or greater;
- Electric generation plants of the use of standby generator;
- Boilers; and
- IC Engines

To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering division at (805) 781-5912 for specific information regarding permitting requirements.

**BIOLOGICAL:**

**Biological Resources Mitigation Measures**

**BIO-1:** A Wetland Delineation was prepared for the project in June 2008 (see Attachment G). Of the four areas of the site evaluated for wetlands, two of the sites (sites 1 & 3) were determined to be a Federal and State Wetland. Since wetlands to occur on the project site, the following mitigation measures shall be applied:

- Permits must be obtained, as appropriate, from the California Department of Fish and Game (DFG Code 1603), the U.S. Army Corps of Engineers (Section 404 of the Clean Water Act), the Regional Water Quality Control Board (Section 401 of the Clean Water Act).
- An on-site monitor will be required during construction activities in areas containing jurisdictional wetlands.
- Any mitigation, monitoring, and reporting plan will be prepared and approved by the City and other jurisdictional agencies, as appropriate (i.e., California Department of Fish and Game, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board). Wetland mitigation will increase the aerial extent of wetland habitat on site at a two-to-one ratio (created wetland area to impacted wetland area).
- Mitigation implementation and success will be monitored for a minimum of three years, depending on the jurisdictional agencies' requirements.

**BIO-2:** Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during breeding season from March 15 to August 15. If construction activities must be conducted during this period, nesting bird surveys shall take place within one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet nest until chicks are fledged. Construction activities shall observe a 300-foot buffer for occupied raptor nests. A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging or the buffer zone and make recommendations on additional monitoring requirements.

Oak tree impacts and mitigation requirements shall be compiled by the project Arborist. The following mitigation recommendations are modeled after guidelines set forth in the Paso Robles Tree Ordinances (City of Paso Robles – Ordinance No. 835 N.S.).

**BIO-3:** Tree canopies and trunks within 50-feet of proposed disturbance zones should be mapped and numbered by a qualified biologist and a licensed land surveyor. Data for each tree should include date, species, number of stems, diameter at breast height (dbh) of each stem, critical root zone (CRZ) diameter, canopy diameter, tree height, health, habitat notes, and nests observed. – Completed 2005, See Arborist Report by A&TArborists along with plan by NCE, Attachment F).

**BIO-4:** An oak tree protection plan shall be prepared and approved by the City of Paso Robles.

**BIO-5:** Impacts to the oak canopy or critical root zone (CRZ) should be avoided where practicable. Impacts include pruning, an ground disturbance within the dripline or CRZ of the tree (whichever is greater), and trunk damage. The current plans shows encroachments into trees No. 1, 59, 49 and 48 show encroachments into the CRZ for footings of casitas buildings. The project needs to be redesigned so that there is not encroachment into the CRZ of any oaks.

**BIO-6:** Impacted oaks shall be mitigated for by planting one 24-inch boxed tree for impacts up to 25-percent of the root zone or canopy. Two 24-inch boxed trees shall be planted for trees within impacts of 50-percent of the tree, and so on. The mitigation tress shall be incorporated into the landscape plan.

**BIO-7:** Replacement oaks for removed trees must be an equivalent to 25-percent of the diameter of the remove tree(s). For example, the replacement requirement for removal of two trees of 15 inches dbh (30 total diameter inches), would be 7.5 inches (30-inches removed x 0.25 replacement factor). The requirement could be satisfied by planting five 1.5-inch trees, or three 2.5-inch trees, or any other combination totaling 7.5-inches. A minimum of two 24-inch box, 1.5-inch trees shall be required for each oak tree removed.

**BIO-8:** Replacement trees should be seasonally maintained (browse protection, weed reduction, and irrigation, as needed) and monitored annually for at least 7 years.

**BIO-9:** An Arborist Report was prepared by A&T Arborists for this project (see Attachment \_\_\_). The report indicates that all trees will be preserved on this site except for Trees No. 18 & 19, which are trees that are in poor condition and are needed to be removed in order to allow for the road improvements to Airport Road. The request to remove these two trees will need to go forward to the City Council. In the event that the Council does not approve the removal of the two trees, they will need to be preserved in accordance with the Oak Tree Ordinance.

**BIO-10:** Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of El Paso de Robles, Community Development, Planning Division that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 51 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

This mitigation alternative (a.) requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total \$127,500. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase 51 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total \$127,500. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be

completed prior to County permit issuance and initiation of any ground disturbing activities.

**BIO-11: Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:

- i. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist 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.
- ii. **The qualified biologist shall conduct weekly site visits during site-disturbance activities** (i.e. grading, disking, excavation, stockpiling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-14 through BR-23. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-14iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.
- iii. **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 biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFG 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, work shall stop until such time the USFWS determines 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 USFWS. 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.

- iv. **In addition**, the qualified biologist 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:
    - Potential kit fox den: 50 feet
    - Known or active kit fox den: 100 feet
    - 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 by a qualified biologist shall be required during ground disturbing activities.

**BIO-12: Prior to issuance of grading and/or construction permits**, the applicant shall clearly delineate the following as a note on the project plans: "Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site **within 30 days prior to initiation of site disturbance and/or construction**.

**BIO-13: 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.

**BIO-14: Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction**, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

**BIO-15: During the site-disturbance and/or construction phase**, to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and 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 biologist and allowed to escape unimpeded.

**BIO-16: 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. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped.

**BIO-17: During the site-disturbance and/or construction phase**, all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

**BIO-18: 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.

**BIO-19: 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 applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFG by telephone. 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 CDFG for care, analysis, or disposition.

**BIO-20: Prior to final inspection, or occupancy, whichever comes first,** should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

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

Monitoring (San Joaquin Kit Fox Measures BR-10 to BR-20): Compliance will be verified by the City of Paso Robles, Planning Division in consultation with the California Department of Fish and Game. As applicable, each of these measures shall be included on the construction plans.

#### American badger

American badger could occur in the project areas. The project will result in a net loss of badger habitat. Mitigation is not required for loss of badger habitat. To ensure take of live badgers does not occur, the following mitigation recommendation shall be implemented:

**BIO-21: A pre-construction survey shall be conducted within thirty days of beginning work on the project** to identify if badgers are using the site. The results of the survey shall be sent to the project manager, CDFG, and the City of El Paso de Robles.

If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property, and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens on the property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1 and February 1 all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the

property during the pre-construction survey, the CDFG wildlife biologist for the area shall be contacted to review current allowable management practices.

**BIO-22:** Prior to removal of any trees over 20-inches dbh, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming may harbor sensitive bat species or maternal bat colonies. Maternal bat colonies may not be disturbed.

**BIO-23:** All occupied nests shall be mapped using GPS or survey equipment. The mapped locations shall be placed on a copy of the grading plans with a 300-foot buffer indicated. Work shall not be allowed within the 300 foot buffer while the nest is in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas. The project biologist may use discretion to reduce or increase the buffer distance based on the sensitivity level of the nest adjacent work.

**BIO-24:** Occupied nests of special status bird species that are within 300-feet of project work areas shall be monitored bi-monthly through the nesting season to document nest success and check for project compliance with buffer zones. Once nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work can commence.

**BIO-25:** Prior to the issuance of grading and/or construction permit(s), if work is expected to impact seasonal ponds on the property, a biologist qualified to conduct surveys for sensitive fairy shrimp species according to USFWS protocols shall conduct a fairy shrimp habitat assessment to determine the potential for fairy shrimp to occur on site. If potential habitat is present, a protocol survey shall be conducted. If vernal pool fairy shrimp (*branchinecta lynchi*) are discovered, consultation with the USFWS must occur.

**HAZARDS:**

**H-1 – Airport and Aircraft Safety:** Development of any new land use on the project site shall not create an undue public safety risk from overflight of aircraft. The eastern portion of project site is in Airport Safety Zone 3 for turning and sideline zones and the western portion is Safety Zone 4 for outer approach and departure zones. All development plan, proposed use, or subdivision on the project site is subject to the nonresidential land use densities and open space requirements as provided in Chapter 4 of the Paso Robles ALUP which are excerpted below (Table 5, ALUP, 2007).

Handley Property Airport Safety Areas	Maximum Land Use Density (persons/acre)	Maximum Single Acre Land Use Density (persons/acre)	Maximum Percent Open Space (% gross area)
Safety Zone 2	20	40	30 <sup>1</sup>
Safety Zone 3	60	120	25 <sup>2</sup>
Safety Zone 4	40	120	20 <sup>2</sup>

<sup>1</sup> No structures, congregations of equipment or vehicles, or public venues shall be located within 250 feet of any extended runway centerline and within 6000 feet of the corresponding runway end.

<sup>2</sup>When feasible, development should be planned in a manner that maintains maximum open space within 50 feet of any extended runway centerline.

**H-2 - Airspace Protection:** No object or structure may be erected, and no plant allowed to grow, to penetrate any “imaginary surface” as defined in Federal Aviation Regulations Part 77.

Any proposed feature approaching these surfaces will be referred to the airport manager for review and recommendation. Building within the height limits of this specific plan will not approach the FAA imaginary surfaces.

**H-3 - Operations Interference:** No use shall be established which produces visually significant quantities of smoke.

**H-4 - Bird Attractants:** No use shall be established and no activity conducted which attracts birds to the extent of creating a significant hazard of bird strikes. Examples are outdoor storage or disposal of food or grain, or large, artificial water features. This provision is not intended to prevent enhancement or protection of existing wetlands, the mitigation of impacts to wetlands or construction of required detention basins.

**H-5 Avigation Easements:** At the time of subdivision development, avigation easements shall be recorded for each affected parcel in a form approved by the County of San Luis Obispo Airport Land Use Commission.

**H-6 Real Estate Disclosure:** All owners, potential purchasers, occupants (whether as owners or renters), and potential occupants (whether as owners or renters) shall receive full and accurate disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport area. The format of the disclosure shall be approved by the County of San Luis Obispo Airport Land Use Commission.

## NOISE

- N-1:** Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with a muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the study area without said muffler.
- N-2:** All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.
- N-3:** Whenever feasible, electrical power shall be used to run air compressors and similar power tools.
- N-4:** Construction activity for site preparation and for future development shall be limited to the hours between 7:00 AM and 7:00 PM, Monday through Friday and Saturday 8:00 AM to 6:00 PM. No construction shall occur on Sundays or State holidays (i.e. Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours.
- N-5:** For all construction activity on the project site, noise attenuation techniques shall be employed as needed to ensure that noise remains below 65 dBA at nearby residences. Such techniques may include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and affected uses.
- N-6:** Provide notification to home occupants adjacent to the study area at least 24 hours prior to initiation of construction activities that could significantly affect outdoor or



indoor living areas. This notification shall include the anticipated hours and duration of construction and a description of noise reduction measures.

- N-7:** The applicant shall provide a telephone number for local residents to call to submit complaints associated with construction noise. The number shall be posted along the Airport Road portion of the site and shall be easily viewed from adjacent public areas.

#### **Exterior Noise Attenuation**

- N-8:** Structures located within unacceptable noise contours shall provide attenuation of exterior usable area noise levels to below 65 dBA CNEL. This can be accomplished using one or more of the following methods:
- N-9:** A structural setback from the roadways that generate the unacceptable noise levels;
- N-10:** Installation of vegetated berms, in combination with structural setbacks from the roadways that generate the unacceptable noise levels;
- N-11:** Locate exterior usable areas that border sources of unacceptable noise levels within an interior courtyard.

#### **Interior Noise Attenuation**

- N-12:** The walls, doors and windows of units or buildings that face Airport Road shall be constructed to include sufficient noise attenuation to reduce interior levels to a CNEL of 45 dBA. This would require at a minimum the use of double-paned windows on all floors for those windows that face Airport Road.
- N-13:** Windows should have a minimum Standard Transmission Class (STC) of 35 and be properly installed, weather-stripped, and insulated.
- N-14:** Doors with a minimum STC of 35 should be used for doorways facing Airport Road and should be insulated in conformance with California Title 24 requirements.
- N-15:** The exterior wall facing material shall be stucco and/or shall be designed for a minimum STC of 45.
- N-16:** Roof or attic vents facing Airport Road should be baffled.
- N-17:** Air conditioning or a mechanical ventilation system should be included in development plans so that windows and doors may remain closed to reduce interior noise to the extent possible.



**AIR POLLUTION  
CONTROL DISTRICT**  
COUNTY OF SAN LUIS OBISPO

April 16, 2008

Talin Shahbazian, Planning Intern  
City of Paso Robles Community Development Dept.  
1000 Spring Street  
Paso Robles CA 93446

SUBJECT: APCD Comments Regarding the Destino Paso RV Park PD 08-002, T2962,  
CUP 08-002 Project Referral. (PD 08-002)

Dear Ms. Shahbazian,

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed project located at Airport Road in Paso Robles. This project involves the construction of a 291 unit resort on a 40.3 acre site. The development includes:

- A 175 single-story duplex and two-story duplex "casitas";
- Two 50-room 25,000 sq. ft. hotels;
- A 16-room boutique hotel;
- A 5,700 sq. ft. restaurant;
- A 1000 sq. ft. office;
- A 2,900 sq. ft. spa;
- A 5,000 sq. ft. recreational area and pool; and,
- A 4,000 sq. ft. conference/wedding facility.

23 acres of the site will remain as open space. The site is currently developed with a single home and outbuildings. The following are APCD comments that are pertinent to this project.

#### GENERAL COMMENTS

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

#### CONSTRUCTION PHASE MITIGATION

##### Naturally Occurring Asbestos

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM.** This may include development of an Asbestos Dust Mitigation

343:

805-781-1002

**Exhibit C**  
APCD Letter  
PD 08-002, et al  
(Handley)

Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Tim Fuhs of our Enforcement Division at 781-5912.

#### Developmental Burning

Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.** Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD and the local fire department authority. The applicant is required to furnish the APCD with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact Karen Brooks of our Enforcement Division at 781-5912.

#### Demolition Activities

The project referral indicated that there are existing structures on the proposed site that will be demolished. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). **If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include but are not limited to: 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the Enforcement Division at 781-5912 for further information.

#### Dust Control Measures

Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the APCD's 402 "Nuisance" Rule. Any project with a grading area greater than 4.0 acres exceeds the APCD's PM10 quarterly threshold. **This project exceeds this threshold and shall be conditioned to comply with all applicable Air Pollution Control District regulations pertaining to the control of fugitive dust (PM10) as contained in section 6.5 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:**

- a. Reduce the amount of the disturbed area where possible,
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible,
- c. All dirt stock pile areas should be sprayed daily as needed,
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities,

- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating native grass seed and watered until vegetation is established,
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD,
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used,
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site,
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114,
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site, and
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

All PM10 mitigation measures required should be shown on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. **The name and telephone number of such persons shall be provided to the APCD prior to land use clearance for map recordation and finished grading of the area.**

#### Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities will require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50 hp or greater;
- IC engines;
- Concrete batch plants;
- Rock and pavement crushing;
- Tub grinders; and
- Trommel screens.

**To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.**

#### Construction Activity Management Plan

**Develop a comprehensive Construction Activity Management Plan** designed to minimize the amount of large construction equipment operating during any given time period. **The plan should be submitted to the District for review and approval prior to the start of construction.** The plans should include but not be limited to the following elements:

- Schedule construction truck trips during non-peak hours to reduce peak hour emissions;
- Limit the length of the construction work-day period, if necessary; and,
- Phase construction activities, if appropriate.

#### Standard NOx Control Measures for Construction Equipment

The standard construction equipment mitigation measures for reducing nitrogen oxide (NOx) emissions are listed below and in section 6.3.1 of the Air Quality Handbook. **These measures are applicable to all projects where construction equipment will be used:**

- Maintain all construction equipment in proper tune according to manufacturer's specifications.
- Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- Maximize to the extent feasible, the use of on-road heavy-duty equipment and trucks that meet the ARB's 1998 or newer certification standard for on-road heavy-duty diesel engines.
- All on and off-road diesel equipment shall not be allowed to 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.

### **OPERATIONAL PHASE MITIGATION**

#### Greenhouse Gas Impacts and Mitigation

While California successfully passed Assembly Bill 32, California's Global Solutions Act of 2006, little guidance was provided to lead agencies regarding how to address greenhouse gas (GHG) impacts in the CEQA process. In the 2007 California legislative session, Senate Bill 97 was passed and required that the California Office of Planning and Research, by July 1, 2009, prepare and develop guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions as required by CEQA, including, but not limited to, effects associated with transportation or energy consumption. As guidelines are not currently available, the APCD suggests that projects subject to CEQA should quantify project related GHG emissions and identify feasible mitigation.

The APCD staff considered the operational impact of this proposed development by running the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. This indicated that operational phase impacts of the greenhouse gas known as carbon dioxide (CO2) will be approximately 19533 pounds per day in the summer and 18685 pounds per day in the winter. **While statewide/global thresholds have not yet been defined for GHG impacts, SLO County APCD recommends the implementation of feasible mitigation measures that minimize project related GHG impacts.** Examples of potential measures for this development include:

- Developments within Urban Reserve Lines with walking or bicycling access to nearby commercial and transit services thus reducing automobile dependence;
- Install on-site solar power infrastructure to offset grid-based power consumption.
- Provide low-speed neighborhood electric vehicles (NEVs) and charging stations for internal use by resort patrons.
- Replacing support equipment and vehicles that have internal combustion engines with their electric equivalents;
- Green building techniques such as:

- o Building positioning and engineering that eliminate or minimize the development's active heating and cooling needs;
- o Planting of native, drought resistant landscaping;
- o Use of locally or nearby produced building materials; and,
- o Use of renewable or reclaimed building materials.

Other measures suitable for GHG as well as ozone precursor mitigation are listed below in this comment letter.

Operational Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Operational sources may require APCD permits. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Electrical generation plants or the use of standby generator;
- Food and beverage preparation (primarily coffee roasters);
- Dry cleaning; and,
- Boilers.

**To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.**

APCD staff has determined the operational impacts of this development by running the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. The results of the model using conservative County average trip distances demonstrated that the operational impacts will (likely exceed the APCD's CEQA Tier II significance threshold value of **25 lbs/day** for nitrogen oxides (NOx), reactive organic gases (ROG) and particulate matter (PM10) as shown below:

Season	Project Emissions by Pollutant (lbs/day)		
	ROG	NOx	PM10
Summer	28.90	37.24	31.54
Winter	32.30	47.13	31.52

**As a result of this estimated threshold exceedence, this project must implement all applicable Standard Mitigation Measures and at least 10 Additional Mitigation Measures listed below.** Should this project move forward, the APCD will consider the overall air quality impacts from this project to have been reduced to a level of insignificance with the implementation of these mitigation measures. Other measures may be proposed as replacements by contacting the APCD's Planning Division at 781-5912.

**Standard Measures (Include all standard mitigation measures marked below)**

- Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
- Provide on-site eating, refrigeration and food vending facilities to reduce employee lunchtime trips.

- Provide preferential carpool and vanpool parking spaces.
- Provide shower and locker facilities to encourage employees to bike and/or walk to work, typically one shower and three lockers for every 25 employees.
- Include easements or land dedications for bikeways and pedestrian walkways.
- Provide continuous sidewalks separated from the roadway by landscaping and on-street parking. Adequate lighting for sidewalks must be provided, along with crosswalks at intersections.

**Additional Measures (Include at least 10 of the following)**

Site Design Mitigation for this Project

- Increase street shade tree planting.
- Increase shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
- Provide on-site banking (ATM) and postal services.
- Provide on-site child care facilities for employees.
- Provide on-site housing for employees.
- Implement on-site circulation design elements in parking lots to reduce vehicle queuing and improve the pedestrian environment with designated walkways.
- Provide pedestrian signalization and signage to improve pedestrian safety.
- If the project is located on an established transit route, improve public transit accessibility by providing transit turnouts with direct pedestrian access to the project.
- Provide outdoor electrical outlets to encourage the use of electric appliances and tools.
- Increase number of bicycle routes/lanes.

Transportation Demand Mitigation

- If the project is located on an established transit route, improve public transit accessibility by providing a transit turnout with direct pedestrian access to the project or improve existing transit stop amenities.
- Provide incentives to employees to carpool/vanpool, take public transportation, telecommute, walk, bike, etc by implementing the Transportation Choices Program. The applicant should Contact SLO Regional Rideshare at 541-2277 to receive free consulting services on how to start and maintain a program.
- Provide Transportation Choices Program information centers on alternative transportation modes at the site (i.e. a transportation kiosk). Contact SLO Regional Rideshare for appropriate materials at 541-2277.
- Install electric vehicle charging stations.
- Employ or appoint an Employee Transportation Coordinator.
- Implement an APCD approved Trip Reduction Program.
- Provide for shuttle/mini bus service.
- Implement a lunch-time shuttle to reduce single occupant vehicle trips.
- Participate in an employee "flash pass" program, which provides free travel on transit buses.

Energy Efficiency Measures

- Shade tree planting along southern exposures of buildings to reduce summer cooling needs.

Project Referral for Destino Paso RV Park PD 08-002, T2962, CUP 08-002

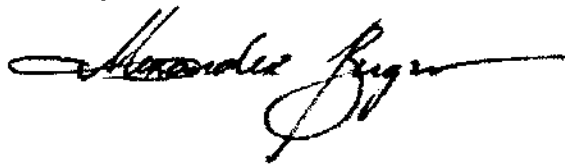
April 16, 2008

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- Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs.
- Use built-in energy efficient appliances, where applicable.
- Use double-paned windows.
- Use low energy parking lot and street lights (e.g. sodium).
- Use energy efficient interior lighting.
- Use low energy traffic signals (e.g. light emitting diode).
- Install door sweeps or weather stripping if more energy efficient doors and windows are not available.
- Install high efficiency or gas space heating.
- Use high efficiency gas or solar water heaters.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at 781-5912.

Sincerely,



Alexander Bugrov  
Air Quality Specialist

AAB/sll

cc: Mr. & Mrs. Jerry & Katherine Handley  
Tim Fuhs, Enforcement Division, APCD  
Karen Brooks, Enforcement Division, APCD  
Gary Willey, Engineering Division, APCD

Attachments:

1. Naturally Occurring Asbestos – Construction & Grading Project Exemption Request Form, Construction & Grading Project Form
2. Guidelines for the Development of a Construction Activity Management Plan

[http://airnet.ceqa/project\\_review/3429-1/3429-1.doc](http://airnet.ceqa/project_review/3429-1/3429-1.doc)



## **Guidelines for the Development of a Construction Activity Management Plan**

A Construction Activity Management Plan (CAMP) may be required by APCD for construction projects that will result in significant particulate matter (PM) and/or nitrogen oxide (NOx) emission impacts, such as potentially high emissions of fugitive dust or NOx, or emissions in areas where potential nuisance concerns are present. The purpose of the CAMP is to specifically define the mitigation measures that will be employed as the project moves forward, in order to ensure all requirements are accounted for in the project budget, included in the contractor bid specifications, and are fully implemented throughout project construction.

The following information is provided as a guide for development of the CAMP. Specific implementation of mitigation measures will vary from project to project. **The CAMP is a comprehensive mitigation plan and will need to specifically identify all of the mitigation measures to be implemented for the project.** The following is a list of potential mitigation measures to include in the CAMP. The CAMP must be submitted to the APCD for approval prior to the start of the project.

Prior to commencement of any construction activities (e.g., site preparation, grading or construction activities) the applicant will notify the appropriate planning agency and the APCD, by letter, of the status of the air quality measures outlined in the CAMP. The letter will state the following: 1) the controls that will be implemented; 2) the reasons why any unimplemented measures are considered infeasible and the measures incorporated to substitute for these measures; and 3) when scheduled construction activities will be initiated to allow for APCD inspection of the mitigation measures.

- **SENSITIVE RECEPTORS (NOx and PM)**

The proximity of the project to the nearest residence and to the nearest sensitive receptor (e.g. school, daycare, hospital or senior center) needs to be documented and the mitigation measures outlined in the CAMP need to be tailored accordingly to provide adequate protection to any nearby sensitive receptors (e.g. of mitigation measures: Locate construction staging areas away from sensitive receptors such that exhaust and other construction emissions do not enter the fresh air intakes to buildings, air conditioners, and windows).

- **MITIGATION MONITORING (NOx and PM)**

A person or persons must be designated to monitor the CAMP implementation. This person will be responsible for compliance with the CAMP. Their duties shall include holidays and weekend periods when work may not be in progress. Depending on the site location, a certified visible emissions monitor may be required. The name and telephone number of such persons shall be provided to the APCD prior to the start of any construction activities.

- **DUST CONTROL (PM)**

Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the APCD's 402 "Nuisance" Rule. The following is a list of measures that may be required throughout the duration of the construction activities:

- a. Reduce the amount of the disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. An adequate water supply source must be identified. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
- c. All dirt stockpile areas should be sprayed daily as needed, covered, or an APCD approved alternative method will be used.

- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
- e. Exposed ground areas that will be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

- **SPECIAL CONDITIONS**

Naturally Occurring Asbestos

If the project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB), the following requirements apply. Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any construction activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Tim Fuhs of our Enforcement Division at 781-5912.

Demolition of Asbestos Containing Materials

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP). These requirements include but are not limited to: 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the Enforcement Division at 781-5912 for further information.

Lead during demolition

Demolition of structures coated with lead based paint is a concern for the APCD. Improper demolition can result in the release of lead containing particles from the site. Sandblasting or removal of paint by heating with a heat gun can result in significant emissions of lead. Therefore, proper abatement of lead before demolition of these structures must be performed in order to prevent the release of lead from the site.

Depending on removal method, an APCD permit may be required. Contact David Dixon from the APCD's engineering division at 781-5912 for more information. Approval of a lead work plan by the District is required and must be submitted ten days prior to the start of the demolition. Contact Tim Fuhs from the District's Enforcement Division at 781-5912 for more information. For additional information regarding lead removal, please contact Cal-OSHA at 800-654-4581.

▪ **PERMITTING REQUIREMENTS**

Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. Operational sources may also require APCD permits. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers
- Portable generators 50 hp or greater
- Chemical product processing and or manufacturing
- Electrical generation plants or the use of standby generator
- Food and beverage preparation (primarily coffee roasters)
- Furniture and fixture products
- Metal industries, fabrication
- Small scale manufacturing
- Auto and vehicle repair and painting facilities
- Fuel dealers
- Dry cleaning
- Pipelines
- Public utility facilities
- Boilers
- IC Engines
- Sterilization units(s) using ethylene oxide and incinerator(s)
- Cogeneration facilities
- Unconfined abrasive blasting operations
- Concrete batch plants
- Rock and pavement crushing
- Tub grinders trommel screens

To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

• **CONSTRUCTION EQUIPMENT EMISSION REDUCTIONS (NO<sub>x</sub> and PM)**

To mitigate air quality impacts from the emissions of construction equipment engines, the APCD has project proponents apply various emission reduction methods depending on the magnitude of the project. Below are four categories of methods used:

Standard Combustion Emission Reduction Measures for Construction Equipment

- Maintain all construction equipment in proper tune according to manufacturer's specifications.
- Fuel all off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- Enforce a 5 minute engine idling limit.
- Identify where feasible:
  - Use diesel construction equipment meeting ARB's 1996 or newer certification standards for off-road heavy-duty diesel engines.
  - Use electrical powered equipment.

- Substitute gasoline-powered equipment for diesel-powered equipment.
- Use alternatively fueled construction equipment, such as compressed natural gas (CNG) liquefied natural gas (LNG), propane (LPG), or biodiesel (B20 or B100).

#### Best Available Control Technology (BACT) for Construction Equipment

Implementation of BACT requirements as outlined in Development Plans and Conditions of Approval for a project shall be outlined in the CAMP. Implementations may include the installation of diesel oxidation catalysts (DOC), catalyzed diesel particulate filters (CDPF) or other APCD approved emission reduction retrofit devices on construction equipment engines. Project proponents shall work with APCD many months before any construction activity begins in order to gain approval from APCD on the equipment or process that shall include construction equipment BACT. All devices must be installed and tested prior to the start of any construction activity.

The two common after-market/treatment Diesel PM control devices are diesel oxidation catalysts (DOC) and diesel particulate filters (DPF), of which some undergo catalytic regeneration (CDPF). Diesel particulate filters are also referred to as soot filters. The following are key points to understand about DOCs and soot filters:

- a. There are several steps that must take place before the correct emission control devices can be ordered for the highest emitting equipment that will be on site. Early planning is essential to ensure that project delays do not occur and that required emission reductions are realized from the start of the project. It should be noted that there can be a significant lead time for catalysts orders to arrive, thus again early coordination is essential.
- b. The DOCs are effective in reducing Diesel PM emissions by approximately 25%.
- c. Soot filters reduce approximately 85% of the Diesel PM emissions from engines, but must only be installed on Tier 1 or newer engines<sup>1</sup>. Installing soot filters on engines that do not at least meet the Tier 1 emission standards can result in excessive loading of the filter which could in turn result in the engine backpressure increasing beyond factory specifications.
- d. Should use of a soot filter be needed, but the on-site equipment does not meet the Tier 1 standard, then DOCs can replace the needed soot filters at a rate of 5 DOCs for every soot filter. The more passive nature of DOCs results in them not having the soot filter engine restrictions.
- e. The BACT implementation shall follow general guidelines as defined in the APCD document entitled Diesel PM Control of Construction Equipment in SLO County: General Considerations for the Installer.
- f. The following APCD form for prescribing the appropriate diesel emission control device for each piece of equipment that shall be controlled with BACT shall be completed and made available upon APCD staff request: Diesel PM Control of Construction Equipment in SLO County: Pre-Installation Data Needs.
- g. The APCD recommends that a backpressure port be installed before the diesel emission control device in order to test the backpressure on the engine. The following APCD form is appropriate for documenting backpressure measurements over time: The Diesel PM Control of Construction Equipment in SLO County: Installation & Backpressure Measurement Worksheet.

#### Equipment Scheduling (NOx and PM)

- Schedule activities to minimize the amount of large construction equipment operating simultaneously during any given time period.
- Schedule construction truck trips during non-peak hours to reduce peak hour emissions.
- Where feasible:

<sup>1</sup> Tier 1 or newer engines refer to engines that meet ARB and U.S. EPA Tier 1 exhaust emission standards for off-road diesel engines. In general, construction equipment built for the California market had Tier 1 engines in 1996. Equipment built in 1996 for other markets do not necessarily have Tier 1 engines. Therefore, it is necessary to look at the information plates on engines to make sure that they at least meet Tier 1 standards before a soot filter is installed.

- Limit the amount of cut and fill to 2,000 cubic yards per day.
- Limit the length of the construction workday.
- Phase construction activities.

On-road Truck Management (NOx and PM)

- Proposed truck routes should be evaluated to define routing patterns with the least impact to residential communities and sensitive receptors.
- To the extent feasible, construction truck trips should be scheduled during non-peak hours to reduce peak hour emissions.
- Haul truck, delivery trucks and other construction equipment in loading and unloading queues should be kept with the engine off when not in use, to reduce vehicle emissions. Signs shall be placed in queuing areas to remind drivers to limit idling to no longer than 5 minutes.
- Equipment staging areas shall be located away from sensitive receptors.
- DOC and CDPFs may be necessary depending on the scale of the project.

- **CONSTRUCTION WORKER TRIPS (NOx)**

- Implement an APCD approved Trip Reduction Program to reduce construction worker commute trips, which includes carpool matching, vanpooling, transit use, etc. Monitor worker use of alternative transportation throughout the project to ensure compliance.

- **Compliant Response (NOx and PM)**

The CAMP should include a section that addresses complaints and complaint handling. At a minimum this section shall include the following:

- The person(s) responsible for addressing and resolving all complaints regarding the construction activity and their contact information is:
  - Name(s)
  - Company and Title(s)
  - Phone numbers and physical address(s)
- A hotline telephone number shall be established and publicized to help facilitate rapid complaint identification and resolution. In addition, Prop 65 notification with regard to toxic diesel emissions shall to be made.
- An action plan section shall be outlined that includes additional measures or modifications to existing mitigation measures in the event of complaints.
- All complaints shall be reported immediately to the APCD.

# Naturally Occurring Asbestos - Construction & Grading Project Form



**Send To:**  
**San Luis Obispo County Air  
 Pollution Control District**  
 3433 Roberto Court  
 San Luis Obispo, CA 93401  
 805-781-5912



<b>Applicant Information/Property Owner</b>		<b>Project Name</b>	
<b>Address</b>		<b>Project Address and/or Assessors Parcel Number</b>	
<b>City, State, Zip</b>		<b>City, State, Zip</b>	
<b>Email:</b>		<b>Email:</b>	
<b>Phone Number</b>	<b>Date Submitted</b>	<b>Agent</b>	<b>Phone Number</b>

Check Where Applicable	ITEM	APCD REQUIRED ELEMENT 1	APCD REQUIRED ELEMENT 2
	<b>Project IS NOT Subject to NOA Requirements</b>	Mapped Location Attached	<del>XXXXXX</del>
	<b>Project IS Subject to NOA Requirements but NOT Disturbing NOA</b>	Geological Evaluation Attached	Exemption Request Form Attached
	<b>Project IS Subject to NOA Requirements and Project is Disturbing NOA - More than One Acre</b>	Geological Evaluation Attached	Dust Control Measure Plan Attached
	<b>Project IS Subject to NOA Requirements and Project is Disturbing NOA - One Acre or Less</b>	Geological Evaluation Attached	Mini-Dust Control Measure Plan Attached

**APPLICANT MUST SIGN BELOW:**

Legal Declaration/Authorized Signature:	Date:
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**OFFICE USE ONLY - APCD Required Elements**

Geological Evaluation	Exemption Request Form	Dust Control Measure Plan	Monitoring, Health & Safety Plan
Approved	Approved	Approved	Approved
Not Approved	Not Approved	Not Approved	Not Approved

Comments:	Comments:	Comments:
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APCD Staff:	Intake Date:	Date Reviewed:	OIS Site #
INVOICE No.	Basic Fee:	Additional Fees:	Billable Hrs:
			OIS Proj. #
			Total Fees:

## Naturally Occurring Asbestos – Construction & Grading Project Exemption Request Form

**Send To:**

**San Luis Obispo County  
Air Pollution Control District  
3433 Roberto Court  
San Luis Obispo, CA 93401**

Phone: (805) 781-5912  
Fax: (805) 781-1002



<b>Applicant Information/ Property Owner</b>		<b>Project Name</b>	
<b>Address</b>		<b>Project Address and /or Assessors Parcel Number</b>	
<b>City, State, Zip</b>		<b>City, State, Zip</b>	
<b>Email Address</b>		<b>Email Address</b>	
<b>Phone Number</b>	<b>Date Submitted</b>	<b>Agent</b>	<b>Phone Number</b>

The District may provide an exemption from Section 93105 of the California Code of Regulations - Asbestos Airborne Toxic Control Measure For Construction, Grading, Quarrying, And Surface Mining Operations for any property that has any portion of the area to be disturbed located in a geographic ultramafic rock unit; if a registered geologist has conducted a geologic evaluation of the property and determined that no serpentine or ultramafic rock is likely to be found in the area to be disturbed. Before an exemption can be granted, the owner/operator must provide a copy of a report detailing the geologic evaluation to the District for consideration. The District will approve or deny the exemption within 90 days. An outline of the required geological evaluation is provided in the District handout **“ASBESTOS AIRBORNE TOXIC CONTROL MEASURES FOR CONSTRUCTION, GRADING, QUARRYING, AND SURFACE MINING OPERATIONS – Geological Evaluation Requirements.”**

**NOTE: A basic exemption evaluation fee of \$100.00 will be charged.**

**APPLICANT MUST SIGN BELOW:**

I request the San Luis Obispo County Air Pollution Control District grant this project exemption from the requirements of the ATCM based on the attached geological evaluation.

Legal Declaration/Authorized Signature:

Date:

**OFFICE USE ONLY - APCD Required Element – Geological Evaluation**

Intake Date:	APCD Staff:	OIS Site #:	OIS Project #:
Date Reviewed:	APCD Staff:	Approved	Not Approved

Comments:

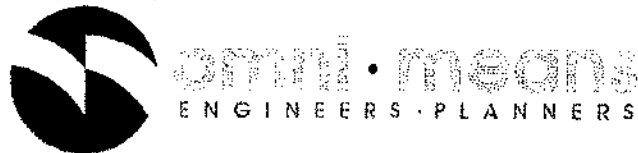
**Destino Paso Resort  
Traffic Impact Study**

**Draft Report**

Prepared for:

**Jerry and Katherine Handley**

Prepared by:



**Exhibit D**  
Traffic Study  
PD 08-002, et al  
(Handley)



**DESTINO PASO RESORT TRAFFIC IMPACT STUDY**

**DRAFT REPORT**

**PREPARED FOR:**

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## EXECUTIVE SUMMARY

This Draft Traffic Impact Study has been prepared on behalf of Jerry and Katherine Handley to forecast the impact of a proposed recreational resort development on local traffic circulation and to determine any improvements necessary to mitigate project impacts. The proposed Destino Paso Resort (Project) is located east of Airport Road and south of Dry Creek Road, in the City of Paso Robles (City), and will include approximately 175 vacation "Casitas" and 116 hotel rooms, as well as a club house with a health spa, restaurant, conference space, and various site amenities such as pools and hot tubs.

Figure 1 illustrates the project location and vicinity map.

### *Analysis Scenarios*

The following scenarios are analyzed as a part of this report:

- Existing Conditions
- *Short Term Plus No Project (No CRASP) Conditions*
- *Short Term Plus No Project (Plus CRASP) Conditions*
- *Short Term Plus Project (No CRASP) Conditions*
- *Short Term Plus Project (Plus CRASP) Conditions*
- *Cumulative No Project Conditions*
- *Cumulative Plus Project Conditions*

The Existing Conditions analysis investigates current traffic operations within the study area.

*Short Term* conditions refer to scenarios following the assumed completion of approved and/or pending development in the project study area, which are typically several years from existing conditions. The *Short Term No Project* condition investigates traffic operations following completion of approved and pending projects, excluding development of the proposed project. The *Short Term Plus Project* condition accounts for the proposed project (i.e. Destino Paso Resort) in addition to approved and/or pending projects accounted for by the *Short Term No Project* condition scenario. Each of the *Short Term* scenarios (No Project and Plus Project) is further differentiated between the exclusion and inclusion of the Chandler Ranch Area Specific Plan (CRASP).

*Cumulative* conditions refer to analysis scenarios during a future planning horizon year, typically assumed as 20 years in the future. The *Year 2030 No Project* condition scenario assumes partial or complete build out of the City General Plan, and thus includes the approved and/or pending projects included in the *Short Term* scenarios, including the CRASP. The *Cumulative Plus Project* accounts for the proposed project in addition to partial or complete build out of the City General Plan accounted for by the *Cumulative No Project* condition scenario.

### *Mitigation Measure Summary*

The majority of identified deficiencies in the study area occur along SR 46E. Planning and construction are underway by Caltrans to improve the SR 46E/US 101 interchange ramp intersections and to widen SR 46E to four lanes east of the City. However, previous planning studies forecast a rate of growth along the corridor that exceeds the capacity of the four-lane highway. As such, these previous studies have also identified widening to six lanes or conversion to a freeway as necessary mitigation measures to provide acceptable operations along the corridor. This study is consistent with those previous studies and recommends including converting SR 46 E to a freeway and constructing interchanges at Golden Hill Road and Airport Road. The consistency between this study and previous studies is based on City direction explicitly noted in the project Memorandum of Assumptions.

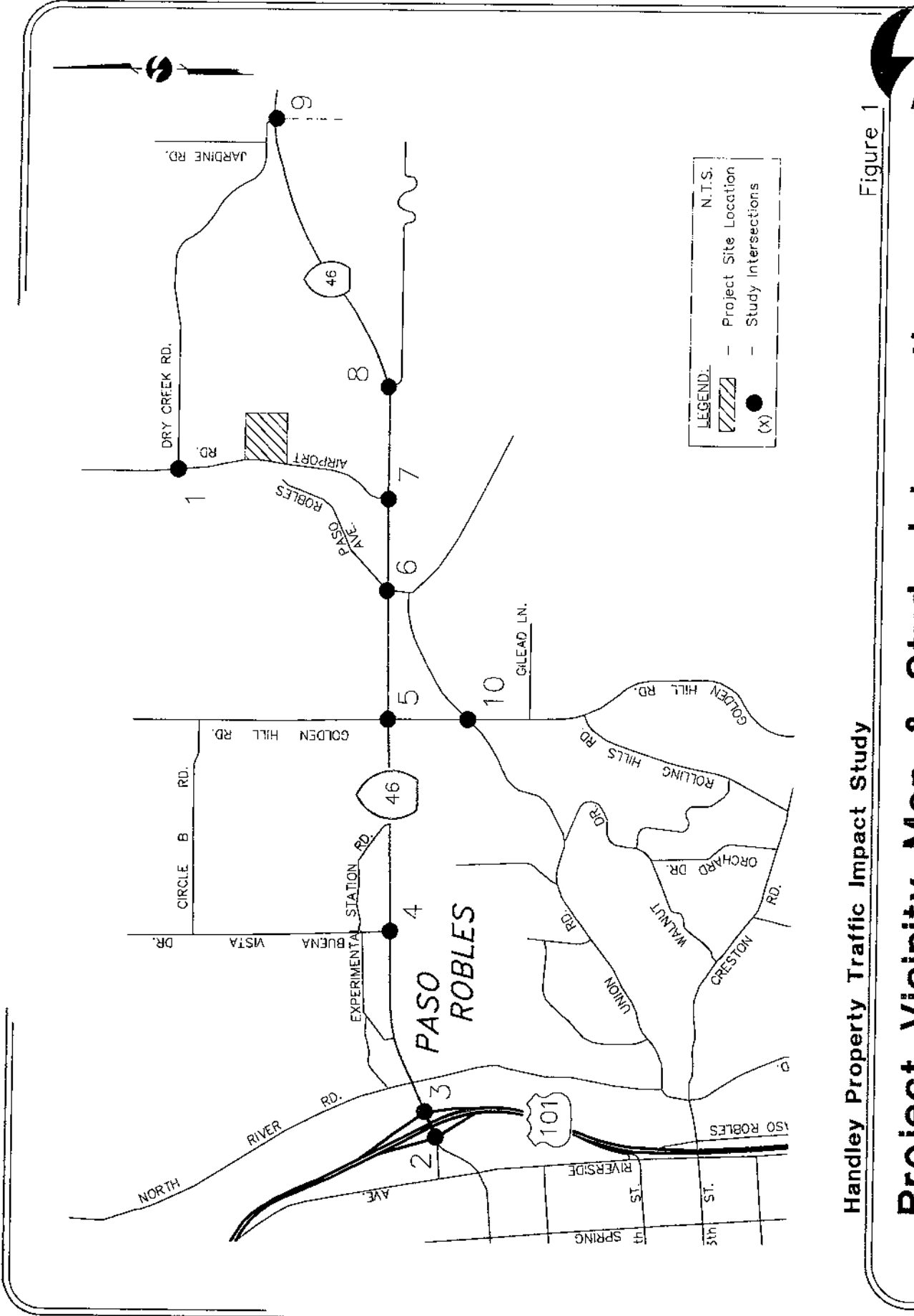


Figure 1

Handley Property Traffic Impact Study

# Project Vicinity Map & Study Intersections

Since the initiation of this traffic study, the City has begun studying alternatives to widening SR 46E or converting it to a freeway. The primary focus of the City's corridor study is a parallel route to SR 46E. Because the planning concepts studied in the "parallel route study" are divergent from all previous transportation planning concepts along the SR 46E corridor, this Destino Paso traffic impact study will become inconsistent with the City's parallel route study conclusions. Acknowledging the foreseen differences in improvement concepts, this traffic study best summarizes the project's forecasted impact on the SR 46E. Any contribution toward corridor improvements by the project should be commensurate to the project impacts identified in this study.

The mitigations summarized below are for *Short Term Plus Project (No CRASP)*, *Short Term Plus Project (with CRASP)*, and *Cumulative Plus Project* conditions. These three scenarios full build-out of the project under with the construction of approved/pending projects (Short Term) and City build-out (Cumulative).

### **Short Term Plus Project**

Airport Road/Dry Creek Road – This intersection is planned for improvement as a single-lane roundabout as a part of an approved project along Airport Road. The roundabout is forecasted to provide enough capacity to yield LOS "D" operations or better under both the AM and PM peak hours.

US 101/SR 46 East Interchange – Improvements are planned by Caltrans at the US 101/SR 46E interchange. The planned improvements are to add a second westbound left-turn lane to the southbound ramp intersection and to add westbound lanes through the northbound ramp intersection. These improvements are forecasted to alleviate existing and near-term deficiencies

SR 46 East/Golden Hill Road – This intersection currently serves as the primary access point to SR 46E for the City south of SR 46E and east of US 101. Widening the intersection to the following configuration has been assumed in *Short-Term* scenarios.

- Northbound – two left-turn lanes, one through lane, one shared through-right turn lane
- Southbound – two left-turn lanes, one through lane, one right turn lane
- Eastbound/Westbound – two left-turn lanes, two through lanes, one right-turn lane

This intersection is forecasted to yield unacceptable LOS with the above lane geometrics. In order to improve operations, overlap phasing is recommended for the southbound right turn movement. In conjunction with further widening of SR 46 East to a six-lane facility, this intersection is projected to operate at LOS "E" under these conditions.

Intersection operations are forecasted to be worse under the *No CRASP* scenario because the network will lack the additional northbound access to SR 46E from Airport Road.

SR 46 East/Airport Road – Improvements are under study by Caltrans at this intersection. The near-term planned improvement is to add second lanes in each direction from the existing four-lane segment in the City to east of Geneseo Road. The long-term planned improvement associated with build-out of the CRASP is to connect the two non-continuous sections of Airport Road. A new northbound connection at SR 46E would be constructed as a grade-separated interchange. Caltrans has determined that an at-grade signal at this location would be unacceptable.

SR 46 East/Mill Road – Improvements are under study by Caltrans at the segment of SR 46 East, east of Airport Road. The planned improvement is to add second lanes in each direction from the existing four-lane segment in the City to east of Geneseo Road. The high traffic volumes along SR 46E indicate some form of control would be needed to allow minor-approach traffic to turn left onto SR 46E.

Alternatively, the SR 46 East/Mill Road intersection could be closed and traffic redirected to the future Airport Road connection.

SR 46 East/Jardine Road – Improvements are under construction by Caltrans at the segment of SR 46 East, east of Airport Road. The planned improvement is to add second lanes in each direction from the existing four-lane segment in the City to east of Genesco Road. This intersection will also require signalization in order to get vehicles from the minor approaches across safely to make the southbound left turn movement. If signalization is not allowed by Caltrans, access may need to be limited to right-turn in and right-turn out movements only. The left-turn out movement would then need to be redirected to the new interchange at SR 46 East/Airport Road.

Golden Hill Road/Union Road – This intersection is currently under stop-sign control. The mitigation for the Existing conditions scenario is to install a single lane roundabout with the ability to expand to a double-lane roundabout. In order to mitigate *Short-Term* scenario deficiencies, this intersection must be built-out to a double-lane roundabout.

Airport Road between Dry Creek Road and SR 46 East – The planned expansion of this roadway from a two-lane arterial facility to a four-lane divided arterial facility provides adequate capacity to mitigate the deficient operations projected on this facility. This improvement would yield LOS “A” on this roadway segment.

#### **Cumulative Conditions**

Airport Road/Dry Creek Road – This intersection is planned for improvement as a single-lane roundabout as a part of an approved project along Airport Road. The roundabout is forecasted to provide enough capacity to yield LOS “D” operations or better under both the AM and PM peak hours.

US 101/SR 46 East Interchange – The traffic demand on SR 46 East is forecasted to exceed its capacity as an urban highway even with additional widening. Additional capacity can be provided by converting SR 46 East to a four-lane freeway with grade-separated interchanges or by constructing an alternative parallel route (e.g. bypass). If SR 46 East is converted to a freeway, the US 101/SR 46 East interchange should be reconstructed as a freeway-to-freeway interchange.

SR 46 East/Buena Vista Drive – The traffic demand on SR 46 East is forecasted to exceed its capacity as an urban highway even with additional widening. Additional capacity can be provided by converting SR 46 East to a four-lane freeway with grade-separated interchanges or by constructing an alternative parallel route (e.g. bypass). If SR 46 East is converted to a freeway, the SR 46 East/Buena Vista Drive intersection should be closed and traffic diverted to the adjacent Golden Hill Road interchange (see next mitigation measure).

SR 46 East/Golden Hill Road – The traffic demand on SR 46 East is forecasted to exceed its capacity as an urban highway even with additional widening. Additional capacity can be provided by converting SR 46 East to a four-lane freeway with grade-separated interchanges or by constructing an alternative parallel route (e.g. bypass). If SR 46 East is converted to a freeway, the SR 46 East/Golden Hill Road intersection should be reconstructed as an interchange.

SR 46 East/Airport Road – The traffic demand on SR 46 East is forecasted to exceed its capacity as an urban highway even with additional widening. Additional capacity can be provided by converting SR 46 East to a four-lane freeway with grade-separated interchanges or by constructing an alternative parallel route (e.g. bypass). If SR 46 East is converted to a freeway, the SR 46 East/Airport Road intersection would be reconstructed as an interchange.

SR 46 East/Mill Road – The traffic demand on SR 46 East is forecasted to exceed its capacity as an urban highway even with additional widening. Additional capacity can be provided by converting SR 46 East to a four-lane freeway with grade-separated interchanges or by constructing an alternative parallel route (e.g. bypass). If SR 46 East is converted to a freeway, the SR 46 East/Mill Road intersection should be closed and traffic diverted to the adjacent Airport Road interchange (see previous mitigation measure).

SR 46 East/Jardine Road – The traffic demand on SR 46 East is forecasted to exceed its capacity as an urban highway even with additional widening. Additional capacity can be provided by converting SR 46 East to a four-lane freeway with grade-separated interchanges or by constructing an alternative parallel route (e.g. bypass). Further study of the long-term travel demand on the SR 46 East corridor is required to determine whether the freeway needs to be extended through this intersection and whether the intersection should be reconstructed as an interchange.



## EXISTING CITY TRANSPORTATION SYSTEM

The City of Paso Robles is located in northern San Luis Obispo County at the crossroads of US 101 and SR 46 East. Incorporated in 1889, the City's street system has developed over this extended period. US 101, SR 46, and the Union Pacific Railroad pass through the City.

West of US 101 is the older part of Paso Robles and includes a grid pattern of downtown streets. East of US 101, a suburban pattern of development has evolved, using a more defined hierarchy of local, collector, and arterial streets in a curvilinear design. The Project is located in the northeastern section of the City. The overall condition of the local street system varies, as does the standard to which they were originally constructed. With the annexation of surrounding County areas, street widths and improvement standards for curb, gutter, and sidewalk also vary. Some streets, including major collector facilities, maintain only shoulders and open drainage improvements. The following roadways are relevant to the project and identified in Figure 1.

**US 101** is a major freeway facility that serves regional and inter-regional north-south travel within and through the City of Paso Robles. US 101 has a typical four-lane divided section through the City. According to *Caltrans Traffic Volumes on the State Highway System (2006)*, US 101 carries an Average Daily Traffic (ADT volume) of approximately 49,500 vehicles as it traverses through the City.

**State Route (SR) 46 East and SR 46 West** are important regional and inter-regional travel corridors that provide east-west access within and through Paso Robles and San Luis Obispo County. East of US 101, SR 46 East is an important regional connection to Interstate 5 and farther east to Bakersfield and Fresno (via SR 41). Upwards of 23,000 daily trips (ADT) currently use SR 46 East just east of US 101. West of US 101, SR 46 West provides access to the coast and SR 1. Although relatively less traveled, with about 5,500 daily trips, SR 46 West is an important coastal connection.

**Golden Hill Road** is planned as a four-lane north-south arterial located just west of the project site. To the north of State Route 46 East (SR 46 East), it is currently a two-lane collector. South of SR 46 East it is currently a four lane arterial facility, except for an unimproved section between SR 46 East and Union Road. The intersection of Golden Hill Road and SR 46 East is controlled by a traffic signal. The roadway continues south from SR 46 East past Union Road and Rolling Hills Road, then curves southeast and eventually terminates as the southbound approach to a T-intersection with Creston Road.

**Union Road** is a two-lane arterial that begins from River Road and traverses in the north-east direction. It forms an unsignalized intersection with Golden Hill Road, curves north as the roadway approaches SR 46 East, and then curves southeast to become a County rural road. The intersection with Golden Hill Road is planned for improvement to roundabout control. At the nearest location to SR 46 East, a short roadway completes a connection to SR 46 East, creating a short bypass of the Golden Hill Road signalized intersection.

**Airport Road** is a non-continuous north-south arterial facility that is generally improved to a two-lane configuration. The roadway begins on its northern end as a T-intersection at Estrella Road, continues south from Estrella Road and passes Paso Robles Municipal Airport, ending eventually as a T-intersection with SR 46 East. Airport Road is currently non-continuous between SR 46 East and Linne Road. Based on the General Plan build-out scenario, the Airport Road extension would be completed as a north-south four-lane arterial through the Chandler Ranch area serving as the backbone access facility for the newly developing area. South of Linne Road, Airport Road is generally improved to its planned four-lane configuration to Meadowlark Road, where it forms a T-intersection. Airport Road will extend through the future Beechwood Specific Plan.

## EXISTING CONDITIONS

For the purposes of this study, *Existing* conditions traffic operations will be quantified during the AM Peak-Hour and PM Peak-Hour, on the existing transportation system without any near-term roadway or intersection improvements. The AM peak hour is defined as the one continuous hour of peak traffic flow counted between 7:00 a.m. and 9:00 a.m., and the PM peak hour is defined as the one continuous hour of peak traffic flow counted between 4:00 p.m. and 6:00 p.m. under typical weekday conditions.

*Existing* conditions traffic operations will be quantified at the critical study intersections and roadways using existing lane geometrics and controls, shown on Figure 2, and existing traffic volumes, shown on Figure 3.

### Study Locations

The following list of study intersections and roadways was established through consultations with the City and Caltrans as relevant for short-term and long-term traffic impact analysis, including conditions both without and with the proposed Handley Property project. The study intersections are also identified on the project vicinity map (Figure 1).

### Intersections

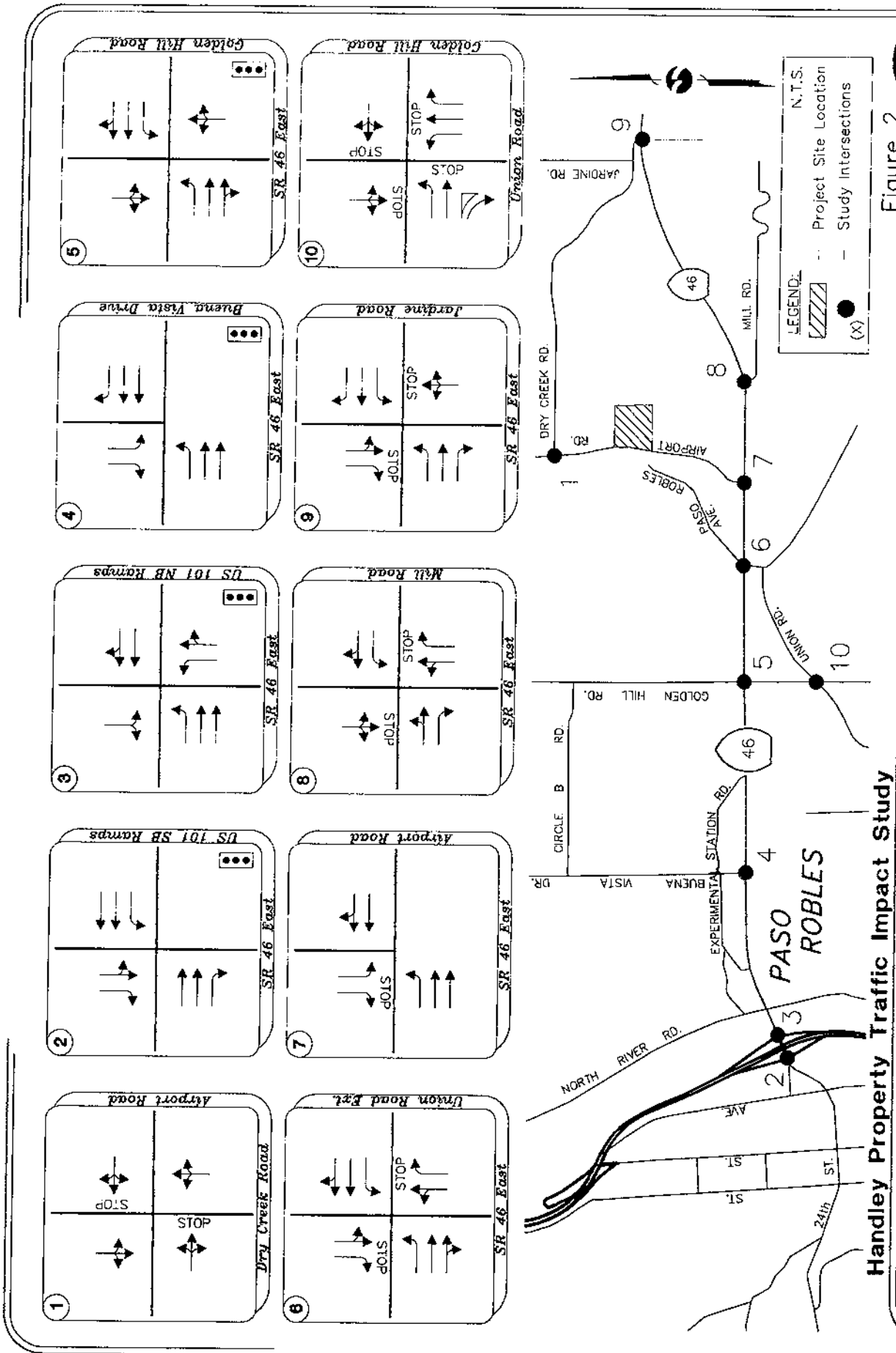
1. Airport Road/Dry Creek Road
2. SR 46 East/US 101 SB Ramps
3. SR 46 East/US 101 NB Ramps
4. SR 46 East/Buena Vista Drive
5. SR 46 East/Golden Hill Road
6. SR 46 East/Union Road Extension
7. SR 46 East/Airport Road
8. SR 46 East/Mill Road
9. SR 46 East/Jardine Road
10. Golden Hill Road/Union Road

### Roadways

1. Airport Road from SR 46 East to Dry Creek Road

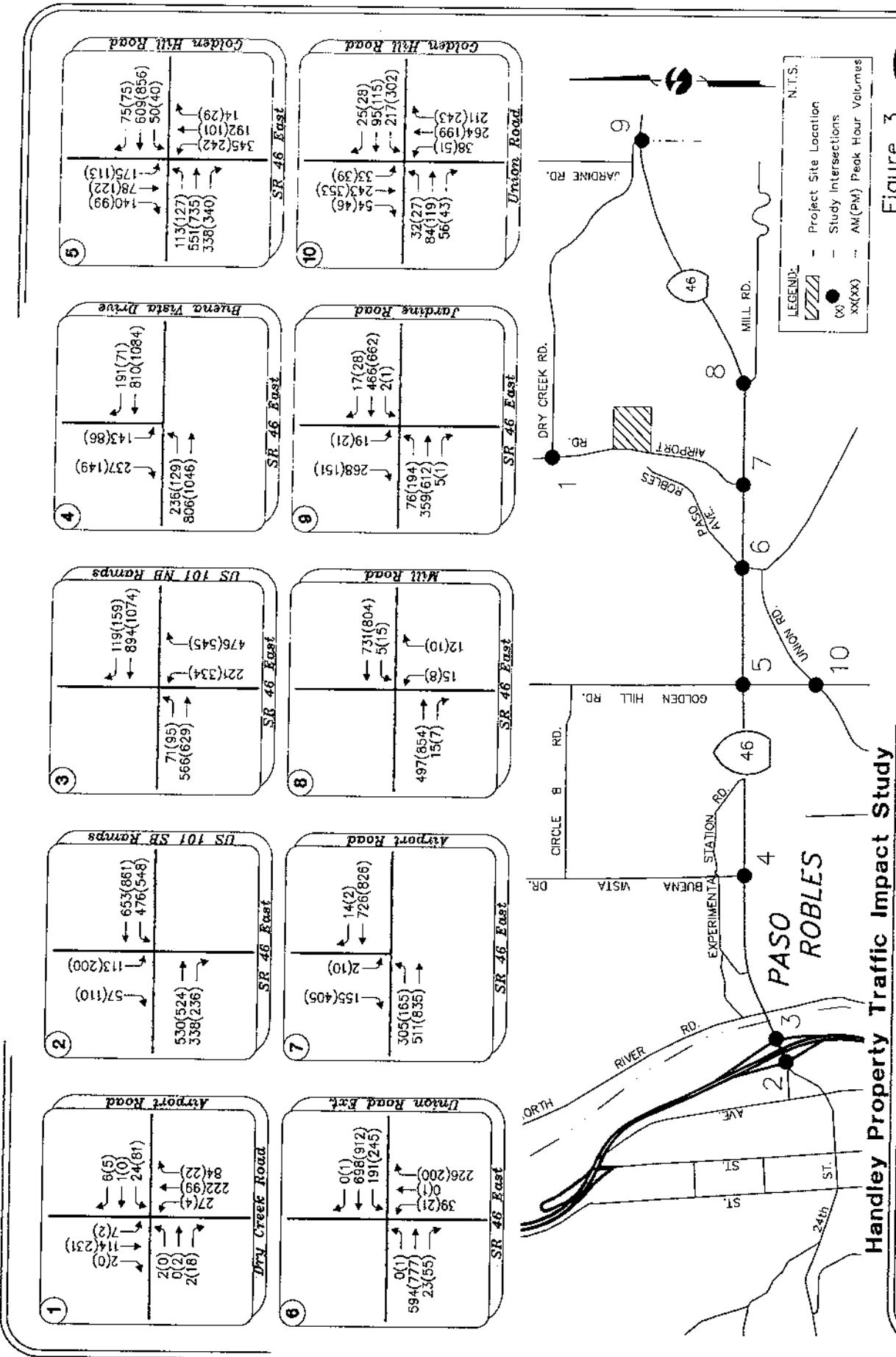
Existing AM and PM peak hour traffic volume counts at Airport Road/Dry Creek Road and the roadway counts along Airport Road were conducted by Omni-Means in January 2006. Volume counts at Golden Hill Road/Union Road were obtained from the Golden Hill Retail Center traffic impact study (*Final Transportation Impact Analysis, Fehr & Peers, June 2007*).

The study area is served by local public transit service, including the North County Shuttle, Regional Transit Authority (RTA) Route 9, PRCATS fixed route service, Greyhound Bus Service, and AMTRAK commuter rail service.



# Existing Intersection Lane Geometrics & Controls

Figure 2



# Existing Intersection Volumes

## LEVEL OF SERVICE METHODOLOGIES AND ANALYSIS PARAMETERS

The following section outlines the industry-standard procedures and standards used to assess operations at study facilities and the technical parameters used in the calculations.

### INTERSECTION AND ROADWAY LOS METHODOLOGIES

Traffic operations along road segments and intersections are estimated using a "Level of Service" (LOS), where a letter grade "A" through "F" represents progressively worsening traffic conditions. LOS is calculated using the methods documented in the Transportation Research Board Publication *Highway Capacity Manual, Fourth Edition, 2000*.

Intersection delays are calculated based on intersection delay. The LOS is based on the average delay for all intersection movements at signalized and All-Way-Stop-Controlled (AWSC) intersections. The LOS is based on the minor-street approach at Two-Way Stop-Controlled (TWSC) intersections. Table 1 presents the intersection delay thresholds.

Road segments have estimated maximum capacities that are based on the roadway type (e.g. freeway, arterial and collector) and number of lanes. LOS is calculated based on the ratio of volume to capacity (V/C). Table 2 presents the roadway segment LOS V/C thresholds and estimated daily volumes based on those thresholds for a set of roadway types.

The *City of Paso Robles General Plan (2003), Circulation Element, Level of Service Standards*, is partly quoted below:

*"Except where another standard has been adopted by the City Council, the City considers level "D" to be acceptable for average daily traffic..."*

The Caltrans published *Guide for the Preparation of Traffic Impact Studies* (dated June 2001) states the following:

*"Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" on State highway facilities ..."*

Consistent with City policies stated above, LOS "D" has been taken as the minimum acceptable LOS standard at critical study intersections and roadway segments falling within City right-of-way. For freeway ramp intersections and other intersections and roadway segments falling within State right-of-way, LOS "C" has been taken as the minimum threshold for acceptable operations. Appropriate circulation, capacity or and/or control improvements have been identified for instances when study area facilities are projected to operate below acceptable standards.

The following peak hour factors and signal lost time factors will be incorporated in the analysis to reflect actual intersection operating conditions, except along the SR 46 East corridor where data that is more specific was provided by Caltrans.

Peak-hour factor (PHF) of **0.92**

Lost time – **4 seconds** per critical signal phase.

Project study intersections within the City were modeled with a truck percentage of **5%**.

All LOS worksheets are included in the Appendix.

TABLE 1  
LEVEL-OF-SERVICE CRITERIA FOR INTERSECTIONS

Level of Service	Type of Flow	Delay	Maneuverability	Stopped Delay/Vehicle (sec)		
				Signalized	Unsignalized	All-Way Stop
A	Stable Flow	Very slight delay. Progression is very favorable, with most vehicles arriving during the green phase not stopping at all.	Turning movements are easily made, and nearly all drivers find freedom of operation.	≤ 10.0	≤ 10.0	≤ 10.0
B	Stable Flow	Good progression and/or short cycle lengths. More vehicles stop than for LOS A, causing higher levels of average delay.	Vehicle platoons are formed. Many drivers begin to feel somewhat restricted within groups of vehicles.	> 10 and ≤ 20.0	> 10 and ≤ 15.0	> 10 and ≤ 15.0
C	Stable Flow	Higher delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures may begin to appear at this level. The number of vehicles stopping is significant, although many still pass through the intersection without stopping.	Back-ups may develop behind turning vehicles. Most drivers feel somewhat restricted	> 20 and ≤ 35.0	> 15 and ≤ 25.0	> 15 and ≤ 25.0
D	Approaching Unstable Flow	The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high volume-to-capacity ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.	Maneuverability is severely limited during short periods due to temporary back-ups.	> 35 and ≤ 55.0	> 25 and ≤ 35.0	> 25 and ≤ 35.0
E	Unstable Flow	Generally considered to be the limit of acceptable delay. Indicative of poor progression, long cycle lengths, and high volume-to-capacity ratios. Individual cycle failures are frequent occurrences.	There are typically long queues of vehicles waiting upstream of the intersection.	> 55 and ≤ 80.0	> 35 and ≤ 50.0	> 35 and ≤ 50.0
F	Forced Flow	Generally considered to be unacceptable to most drivers. Often occurs with over saturation. May also occur at high volume-to-capacity ratios. There are many individual cycle failures. Poor progression and long cycle lengths may also be major contributing factors.	Jammed conditions. Back-ups from other locations restrict or prevent movement. Volumes may vary widely, depending principally on the downstream back-up conditions.	> 80.0	> 50.0	> 50.0

Source: 2000 Highway Capacity Manual

**TABLE 2  
LEVEL OF SERVICE CRITERIA FOR ROADWAY**

Roadway Type	Average Daily Traffic (ADT) – Total of Both Directions				
	LOS "A"	LOS "B"	LOS "C"	LOS "D"	LOS "E"
4-Lane Freeway	28,000	43,200	61,600	74,400	80,000
4-Lane Divided Arterial (with left-turn lane)	22,000	25,000	29,000	32,500	36,000
4-Lane Undivided Arterial (no left-turn lane)	18,000	21,000	24,000	27,000	30,000
2-Lane Arterial (with left-turn lane)	11,000	12,500	14,500	16,000	18,000
2-Lane Arterial (no left-turn lane)	9,000	10,500	12,000	13,500	15,000
2-Lane Collector	8,000	9,500	10,500	12,000	13,500

*Notes: 1. Based on Highway Capacity Manual, Fourth Edition, Transportation Research Board, 2000 and City of Paso Robles Circulation Element, Rincon Consultants, 2003)*

*2. All volume thresholds are approximate and assume ideal roadway characteristics. Actual thresholds for each LOS listed above may vary depending on a variety of factors including (but not limited to) roadway curvature and grade, intersection or interchange spacing, driveway spacing, percentage of trucks and other heavy vehicles, lane widths, signal timing, on-street parking, volume of cross traffic and pedestrians, etc.*

### TRAFFIC SIGNAL WARRANT ANALYSIS CRITERIA

A traffic signal warrant analysis was completed to determine the need for signalization at stop-sign controlled intersections. This study employs the signal warrant criteria presented in the Federal Highway Administration (FHWA) *Manual on Uniform Traffic Control Devices (MUTCD)*. The signal warrant criteria are based on vehicular and pedestrian traffic volumes, accident frequency, and other factors. The installation of a traffic signal should be considered if one or more signal warrants are met.

This study utilizes the peak hour volume-based Warrant 3 as the representative traffic signal warrant. The warrant analysis was completed only when the intersection was estimated or forecasted to operate at unacceptable LOS. There may be instances when the unsignalized intersection operates at acceptable LOS conditions, but still meets the peak hour volume warrant.

### TECHNICAL ANALYSIS PARAMETERS

Observed Peak Hour Factors (PHF) and truck traffic percentages were used for intersections along the SR 46E corridor under existing conditions. The PHF along the SR 46E corridor was changed to 0.95 under future conditions analyses, which is reflective of congested conditions and consistent with other traffic studies along the corridor (*Golden Hill Retail Center Final Transportation Impact Analysis, Fehr & Peers, June 2007*). A generalized PHF of 0.92 was used for all other study intersections, which is consistent with HCM-recommended practice in urban areas. Four seconds of lost time per critical phase were used in analyses of signalized intersections.

## EXISTING CONDITIONS: TRAFFIC OPERATIONS

Existing peak-hour intersection traffic operations were calculated from the existing intersection lane geometrics and control (Figure 2) and unconstrained existing traffic volumes (Figure 3). Table 3 presents the existing peak hour intersection LOS. These Levels of Service are for average weekday conditions for City streets, and summertime weekday and Friday PM peak hour conditions on the State facilities.

TABLE 3  
EXISTING INTERSECTION LEVELS OF SERVICE

#	Intersection	Control Type	Target LOS	AM Peak Hour			PM Peak Hour		
				Delay	LOS	Warrant Met?	Delay	LOS	Warrant Met?
1	Airport Road/Dry Creek Road	TWSC	D	12.8	B	N	13.2	B	N
2	US 101 SB Ramps/SR 46 East	Signal	D	25.0	C	-	33.7	C	-
3	US 101 NB Ramps/SR 46 East	Signal	D	50.6	D	-	68.1	E	-
4	SR 46 East/Buena Vista Drive	Signal	D	24.0	C	-	17.6	B	-
5	SR 46 East/Golden Hill Road	Signal	D	173.9	F	-	95.0	F	-
6	SR 46 East/Union Road Extension	TWSC	D	28.9	D	N	47.7	E	Y
7	SR 46 East/Airport Road	TWSC	D	15.5	C	N	55.9	F	Y
8	SR 46 East/Mill Road	TWSC	D	23.6	C	N	28.3	D	N
9	SR 46 East/Jardine Road	TWSC	D	37.1	E	Y	32.2	D	N
10	Golden Hill Road/Union Road	AWSC	D	28.9	D	N	81.0	F	Y

Notes TWSC=Two-Way-Stop Control; AWSC = All-Way-Stop Control.

Warrant-MUTCD Peak-Hour-Volume Warrant-3 (Urban Areas).

Overflow = Delays exceed 999.9 seconds/vehicle.

1. Intersections 2 and 3 are closely spaced with limited queue storage. The traffic volumes at Intersection 2 are metered by Intersection 3. Intersections 2 and 3 should be analyzed as a system, with the interchange operations reflected by the LOS found at Intersection 3..
2. Differences in the projected LOS and associated delay may result from calculation methodology contained in traffic analysis software (e.g. Traffix versus Synchro) and the parameters used in the calculations.

As shown in Table 1, several intersections along the SR 46 East corridor are estimated to operate at deficient conditions, particularly during the PM Peak-Hour. The intersections of US 101 NB Ramps/SR 46 East and SR 46 East/Union Road Extension operate at unacceptable LOS "E" during the PM Peak-Hour. The intersections of SR 46 East/Golden Hill Road, SR 46 East/Airport Road, and Golden Hill Road/Union Road operate at LOS "F" during the PM Peak-Hour. During the AM Peak-Hour, SR 46 East/Golden Hill Road and SR 46 East/Jardine Road operate at LOS "F" and LOS "E" respectively.

Note that although the calculated LOS of SR 46 East at US 101 SB Ramps is forecasted as an acceptable LOS "C" based on observed traffic volumes, the closely spaced US 101 ramp intersections operate as a system and should be considered based on the LOS at the US 101 Northbound Ramp/SR 46E intersection. The congestion at the interchange causes extended queues and sometimes causes traffic on SR 46 East to divert to City streets.

Roadway LOS analysis was performed on Airport Road, between SR 46 East and Dry Creek Road based on daily traffic counts obtained by Omni-Means in 2006. Based on the daily volume of 5,635, and Airport Road being a "two-lane undivided arterial", the estimated LOS is "A".



## SHORT-TERM CONDITIONS

*Short-Term* conditions refer to analysis scenarios which will exist following the assumed completion of approved study area developments, and thus are typically a few years in the future from *Existing* conditions. The scenario assumes that programmed or planned improvements will be completed, including widening of SR 46E and a roundabout at the Airport Road/Dry Creek Road intersection.

*Short Term* scenarios will be analyzed both with and without full build-out of the Chandler Ranch Area Specific Plan (CRASP), per City direction. Roadway improvements associated with build-out of the CRASP area (i.e. southerly Airport Road extension and SR 46 East/Airport Road interchange) will be assumed only for scenarios assuming build-out of the CRASP area. To summarize, the following *Short Term* scenarios will be included within this traffic study:

- The *Short Term No Project (No CRASP)* scenario assumes completion of approved projects, but excludes both development of the CRASP proposed project, and the proposed Handley Property project.
- The *Short Term No Project (With CRASP)* scenario assumes completion of approved projects, and built-out of the CRASP area (along with the SR 46 East/Airport Road interchange), but excluding the proposed Handley Property project.
- The *Short Term Plus Project (No CRASP)* scenario adds traffic associated with the proposed Handley Property project onto *Short Term No Project (No CRASP)* conditions.
- The *Short Term Plus Project (With CRASP)* scenario adds traffic associated with the proposed Handley Property project onto *Short Term No Project (With CRASP)* conditions, assuming the SR 46 East/Airport Road interchange.

## ASSUMED ROADWAY IMPROVEMENTS

Roadway improvements assumed for *Short Term* conditions are consistent with those proposed within the Golden Hill Retail Center traffic impact study (*Final Transportation Impact Analysis, Fehr & Peers, June 2007*), the SR 46 East/Airport Road intersection/interchange PSR (*Draft Technical Memorandum, Omni-Means, January 2006*), and the most recent intersection controls and lane geometrics improvement plans as provided by the City. As described previously, *Short-Term (No CRASP)* scenarios will assume certain improvements at study locations, while *Short-Term (With CRASP)* scenarios, including build-out of Chandler Ranch, will assume those improvements as well as the installation of an interchange at SR 46 East/Airport Road. Improved *Short-Term* conditions geometrics are presented in Figure 4, and described below in Table 4.

**TABLE 4  
ASSUMED SHORT-TERM NETWORK IMPROVEMENTS**

#	Location	Improvement
1	SR 46E / US 101 SB Ramps	Add second westbound left-turn lane Add third eastbound through lane.
2	SR 46E / US 101 NB Ramps	Add two westbound through lanes
3	SR 46E / Golden Hill Road Road	Northbound two left-turn lanes, one through lane, one shared through-right turn lane Southbound – two left-turn lanes, one through lane, one right turn lane Eastbound/Westbound – two left-turn lanes, two through lanes, one right-turn lane
4	SR 46E, from Airport Road to Genesco Road	Widen to four lanes
5	Golden Hill Road / Union Road	Construct one lane roundabout
6	Dry Creek Road & Airport Road	Construct one lane roundabout

As previously discussed, an interchange will be assumed at the SR 46 East/Airport Road intersection as part of the “With CRASP” scenarios, in addition to these improvements. The widening of SR 46 East, from Airport Road to Genesco Road (east of City Limits) is estimated to be completed in July 2010.

**APPROVED PROJECTS**

Approved projects established for this study incorporate those included in the Golden Hill Retail Center traffic impact study (*Final Transportation Impact Analysis, Fehr & Peers, June 2007*), as directed by the City. The included projects are summarized in Table 5, including approximate sizes and proposed land-uses.

**TABLE 5  
APPROVED PROJECTS LIST**

Status	Description	Size	Land Use
<i>Projects adjacent to Airport Road</i>			
Approved	Airport/Dry Creek Business Park	39 acres	Industrial/Commercial
Approved	Block Graphics	72 ksf	Light Industrial
Approved	Nunno LLC	100 ksf	Light Industrial
<i>Projects adjacent to Golden Hill Road</i>			
Approved	Erskine Industrial Park	95 acres	Light Industrial/Commercial
Approved	Colin Weyrick	14.44 acres	Commercial-Retail
Approved	TR 2594	17.46 acres	Light Industrial
Approved	Golden Hill Retail Center		Commercial-Retail
<i>Projects adjacent to Jardine Road</i>			
Approved	Links Industrial/Office	154 ksf	Industrial/Office

*Note: ksf = 1,000 square feet*

Based on City staff direction, Short Term forecasts were obtained from the recent Golden Hill Retail Center traffic impact study (*Final Transportation Impact Analysis, Fehr & Peers, June 2007*). These forecasts accounted for trips generated and distributed by the approved projects listed in Table 5.

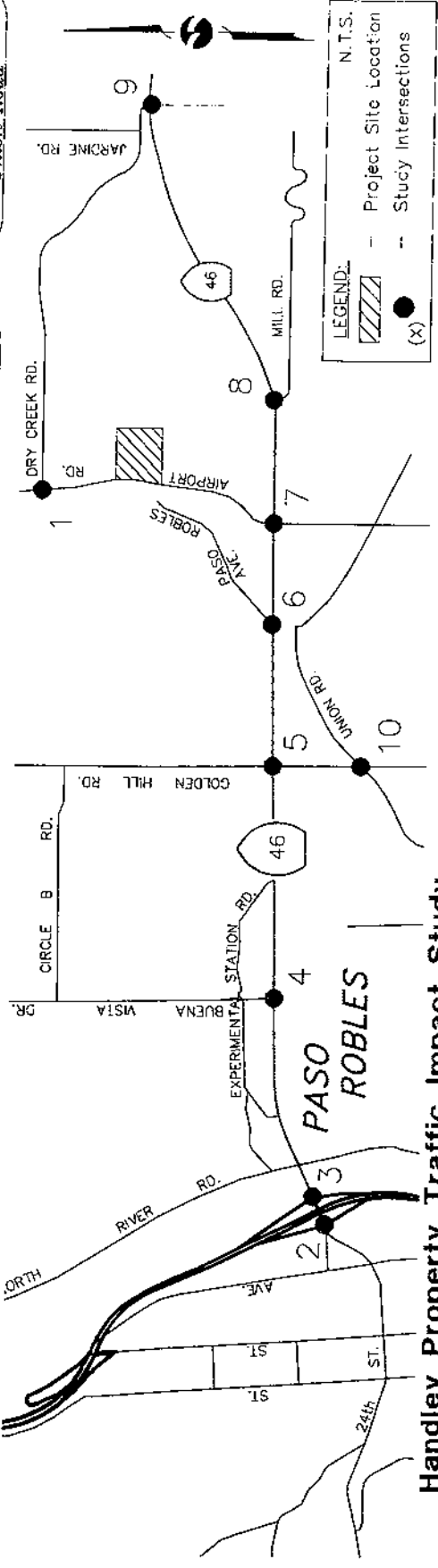
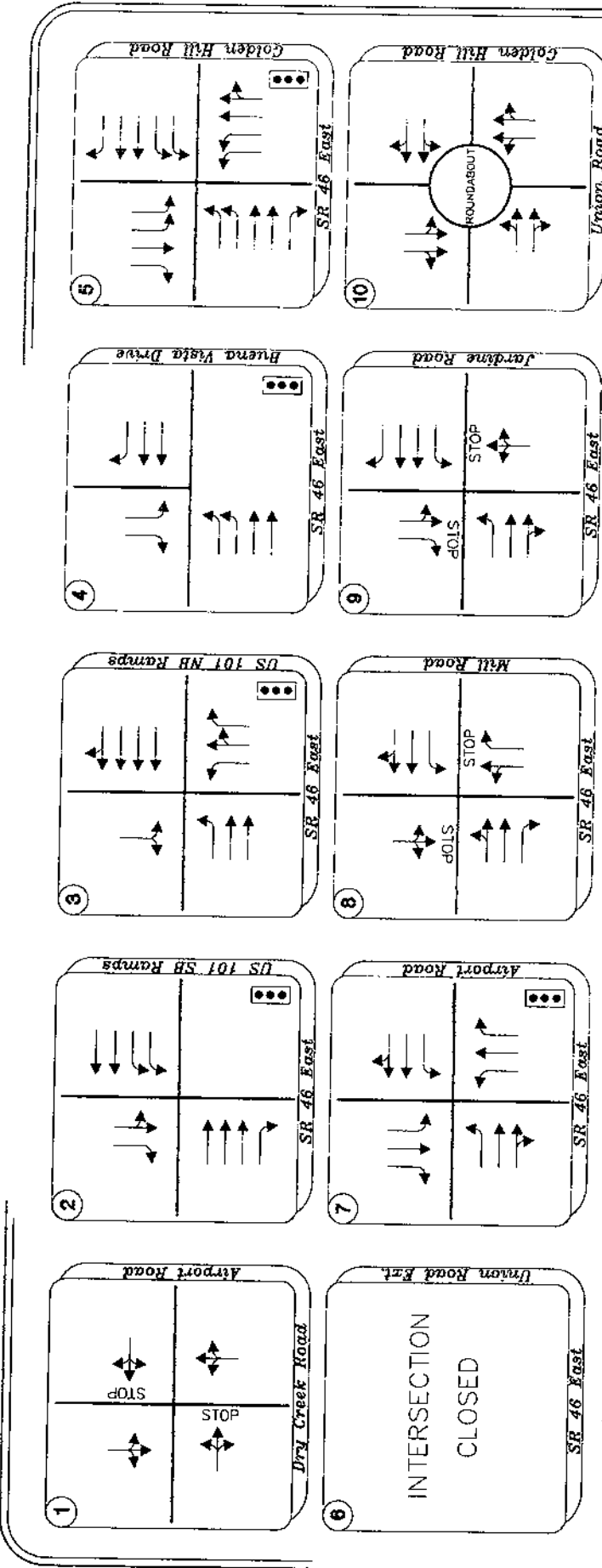


Figure 4

# Short Term Intersection Lane Geometrics & Controls

Handley Property Traffic Impact Study

## SHORT-TERM NO PROJECT CONDITIONS: TRAFFIC OPERATIONS

In the *Short-Term No Project* conditions analysis scenario, no project-generated trips are added to the projected volumes at study intersection locations. *Short-Term No Project* analysis was performed both with and without the inclusion of the approved project Chandler Ranch (CRASP). These scenarios analyze the existing transportation setting in the City of Paso Robles, with the addition of imminent transportation system improvements and build-out of approved projects not including the Project, and quantifies the operations of study intersections based on delay and LOS as defined in the Level of Service Methodologies and Policies section.

Roadway analysis on Airport Road between Dry Creek Road and SR 46 East was performed based on an average daily volume of 14,400 for the *Short-Term No Project (No CRASP)* scenario and an average daily volume of 15,600 for the *Short-Term No Project (With CRASP)* scenario. In both instances, the two-lane arterial fails to provide adequate capacity for the projected volumes and results in LOS "F" for the segment.

*Short-Term No Project (No CRASP)* intersection volumes are presented in Figure 5. Table 6 presents the results of the intersection LOS analysis, for both the AM Peak-Hour and PM Peak-Hour, for the *Short-Term No Project (No CRASP)* scenario.

TABLE 6  
SHORT-TERM NO PROJECT (NO CRASP) INTERSECTION LEVELS OF SERVICE

#	Intersection	Control Type	Target LOS	AM Peak Hour			PM Peak Hour		
				Delay	LOS	Warrant Met?	Delay	LOS	Warrant Met?
1	Airport Road/Dry Creek Road	RND	D	13.8	B	No	8.4	A	No
2	US 101 SB Ramps/SR 46 East <sup>1</sup>	Signal	D	23.5	C	-	35.3	D	-
3	US 101 NB Ramps/SR 46 East	Signal	D	39.4	D	-	30.0	C	-
4	SR 46 East/Buena Vista Drive	Signal	D	22.8	C	-	29.6	C	-
5	SR 46 East/Golden Hill Road	Signal	D	82.0	F	-	130.7	F	-
6	SR 46 East/Union Road Extension	TWSC	D	OVR	F	Yes	OVR	F	Yes
7	SR 46 East/Airport Road	Signal	D	173.4	F	-	175.8	F	-
8	SR 46 East/Mill Road	TWSC	D	27.9	D	No	60.5	F	No
9	SR 46 East/Jardine Road	TWSC	D	77.2	F	Yes	51.9	F	Yes
10	Golden Hill Road/Union Road	RND	D	86.2	F	-	116.6	F	-

Notes TWSC=Two-Way-Stop Control; AWSC = All-Way-Stop Control.

Warrant=MUTCD Peak-Hour-Volume Warrant-3 (Urban Areas). Overflow = Delays exceed 999.9 seconds/vehicle.

- Intersections 2 and 3 are closely spaced with limited queue storage. The traffic volumes at Intersection 2 are metered by Intersection 3. Intersections 2 and 3 should be analyzed as a system, with the interchange operations reflected by the LOS found at Intersection 3.
- Differences in the projected LOS and associated delay may result from calculation methodology contained in traffic analysis software (e.g. Traffic versus Synchro) and the parameters used in the calculations.

As presented in Table 6, the *Short-Term No Project (No CRASP)* scenario yields poor levels of service at a number of study intersections. The SR 46 East/Golden Hill Road, SR 46 East/Airport Road, SR 46 East/Jardine Road, and lastly Golden Hill Road/Union Road intersections are projected to operate at LOS "F" during both AM and PM Peak-Hours. Additionally, the intersection of SR 46 East/Mill Road is forecasted to operate deficiently during the PM Peak-Hour under the increased evening travel demand.

*Short-Term No Project (With CRASP)* intersection volumes are presented in Figure 6, and the intersection LOS results in Table 7.

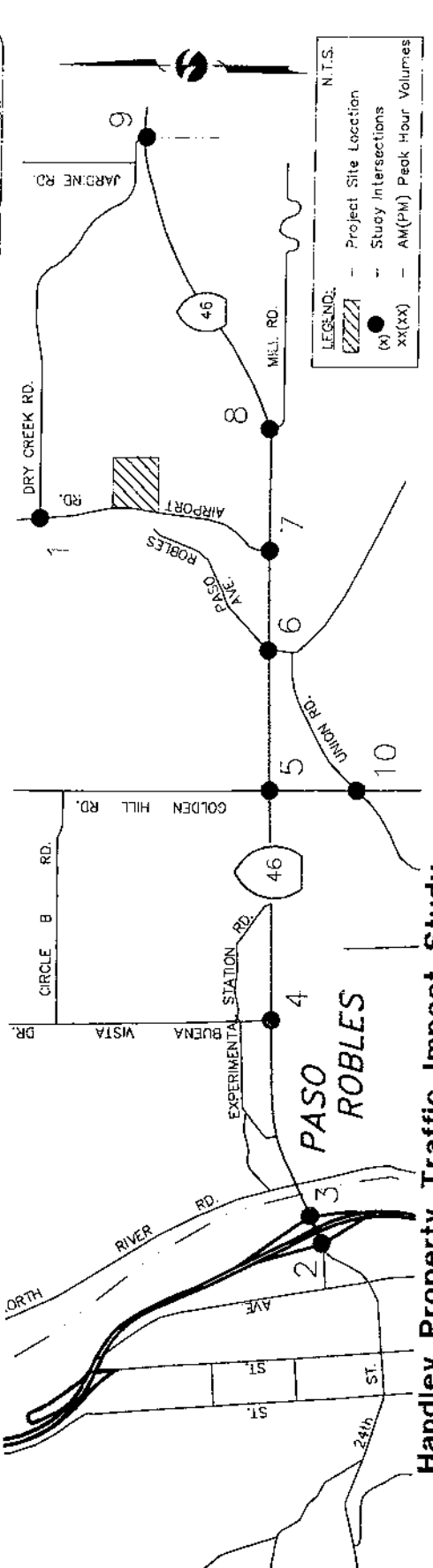
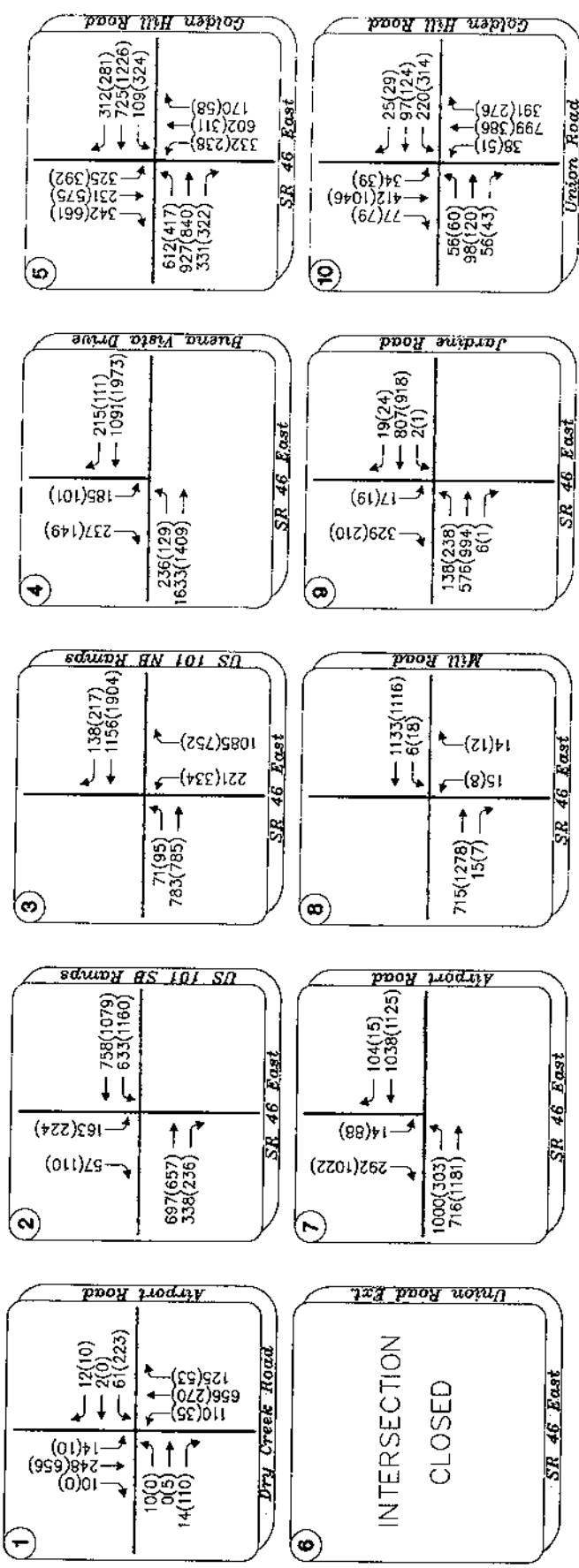
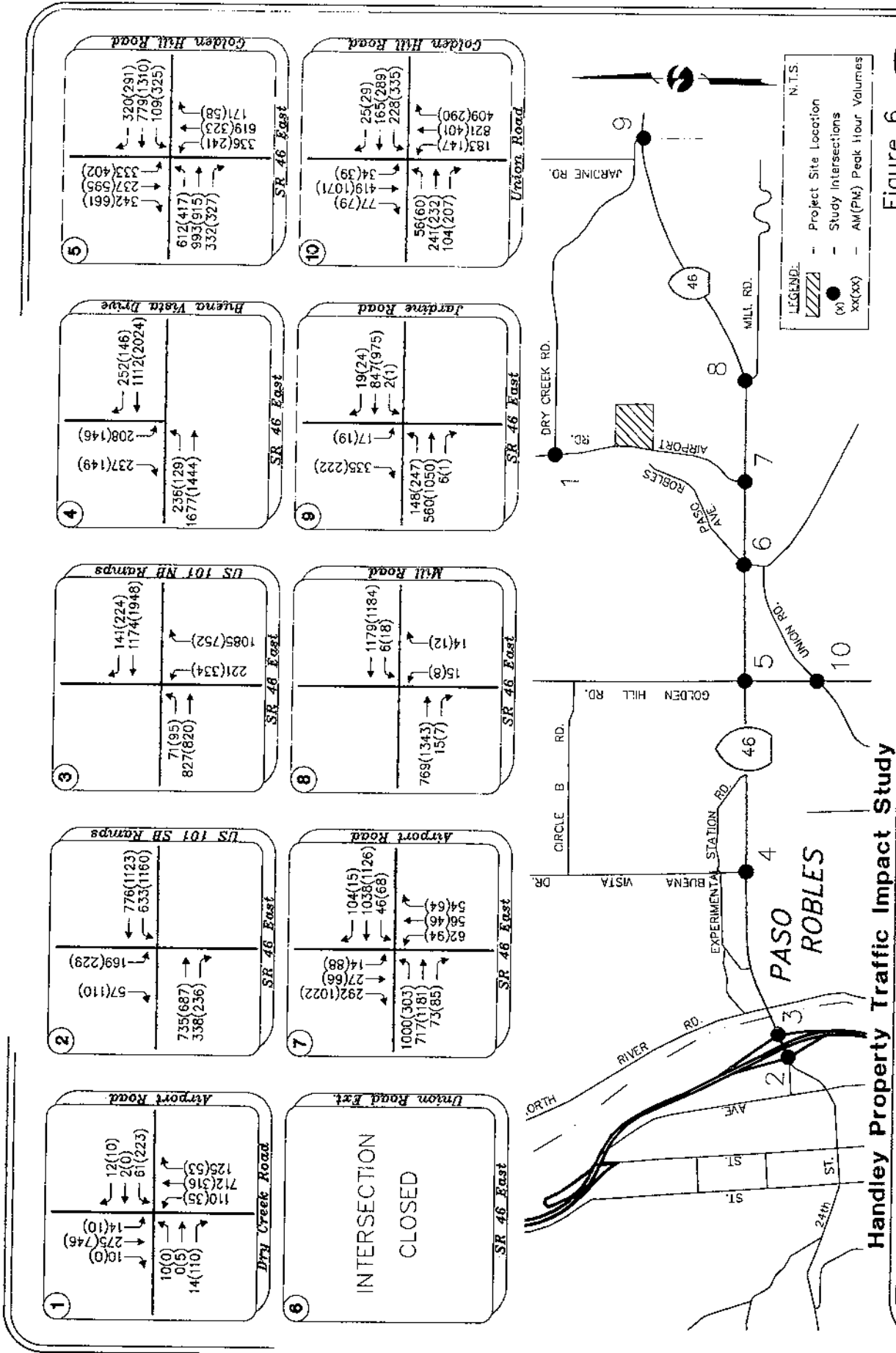


Figure 5

# Short-Term No Project (No CRASP) Volumes

Handley Property Traffic Impact Study



# Short-Term No Project (With CRASP) Volumes

**TABLE 7  
SHORT-TERM NO PROJECT (WITH CRASP) INTERSECTION LEVELS OF SERVICE**

# Intersection	Control Type	Target LOS	AM Peak Hour			PM Peak Hour		
			Delay	LOS	Warrant Met?	Delay	LOS	Warrant Met?
1 Airport Road/Dry Creek Road	RND	D	17.8	C	No	11.3	B	Yes
2 US 101 SB Ramps/SR 46 East <sup>1</sup>	Signal	D	23.8	C	-	36.3	D	-
3 US 101 NB Ramps/SR 46 East	Signal	D	40.5	D	-	30.7	C	-
4 SR 46 East/Buena Vista Drive	Signal	D	23.5	C	-	33.8	C	-
5 SR 46 East/Golden Hill Road	Signal	D	89.1	F	-	141.4	F	-
6 SR 46 East/Union Road Extension	Intersection Closed							
7 SR 46 East/Airport Road <sup>2</sup>	Interchange Assumed							
8 SR 46 East/Mill Road	TWSC	D	31.5	D	-	73.9	F	No
9 SR 46 East/Jardine Road	TWSC	D	95.7	F	Yes	67.7	F	Yes
10 Golden Hill Road/Union Road	RND	D	162.5	F	-	241.0	F	-

Notes TWSC - Two-Way-Stop Control. AWSC - All-Way-Stop Control.  
Warrant - MUTCD Peak-Hour-Volume Warrant-3 (Urban Areas).  
Overflow - Delays exceed 999.9 seconds/vehicle.

- Intersections 2 and 3 are closely spaced with limited queue storage. The traffic volumes at Intersection 2 are metered by Intersection 3. Intersections 2 and 3 should be analyzed as a system, with the interchange operations reflected by the LOS found at Intersection 3.
- This interchange will be designed to acceptable LOS standards and will handle projected traffic volumes. Detailed configurations for this interchange are not readily available at this time. For these reasons, this interchange is assumed to operate acceptably during both the AM Peak-Hour and the PM Peak-Hour.
- Differences in the projected LOS and associated delay may result from calculation methodology contained in traffic analysis software (e.g. Traffix versus Synchro) and the parameters used in the calculations.

As expressed in Table 7, no further deficiencies are projected with the addition of CRASP development. However, delay times increase across all study locations, especially at the Golden Hill Road/Union Road roundabout. The construction of an interchange at SR 46 East/Airport Road will provide adequate levels of service, as this interchange will be designed to handle projected travel demand beyond the volumes projected for the *Short-Term* conditions scenarios.

### PROJECT DESCRIPTION

The proposed Destino Paso Resort (Project), also referred to as the Handley Property, is located on 40 acres of partially developed land north of the SR 46 East/Airport Road intersection in the northeastern portion of the City of Paso Robles. The Project parcel is bounded by the City limits to the east and Airport Road to the west. The parcel directly north of the Project contains a small ranch; directly to the south of the Project there is a mobile home park. The parcel has recently been rezoned from Agricultural (AR) land-use to Park and Open Space (POS) land-use. This change in zoning is largely consistent with the surrounding properties to the south, west, and northeast, all of which are zoned POS based on the current General Plan Land-Use Map.

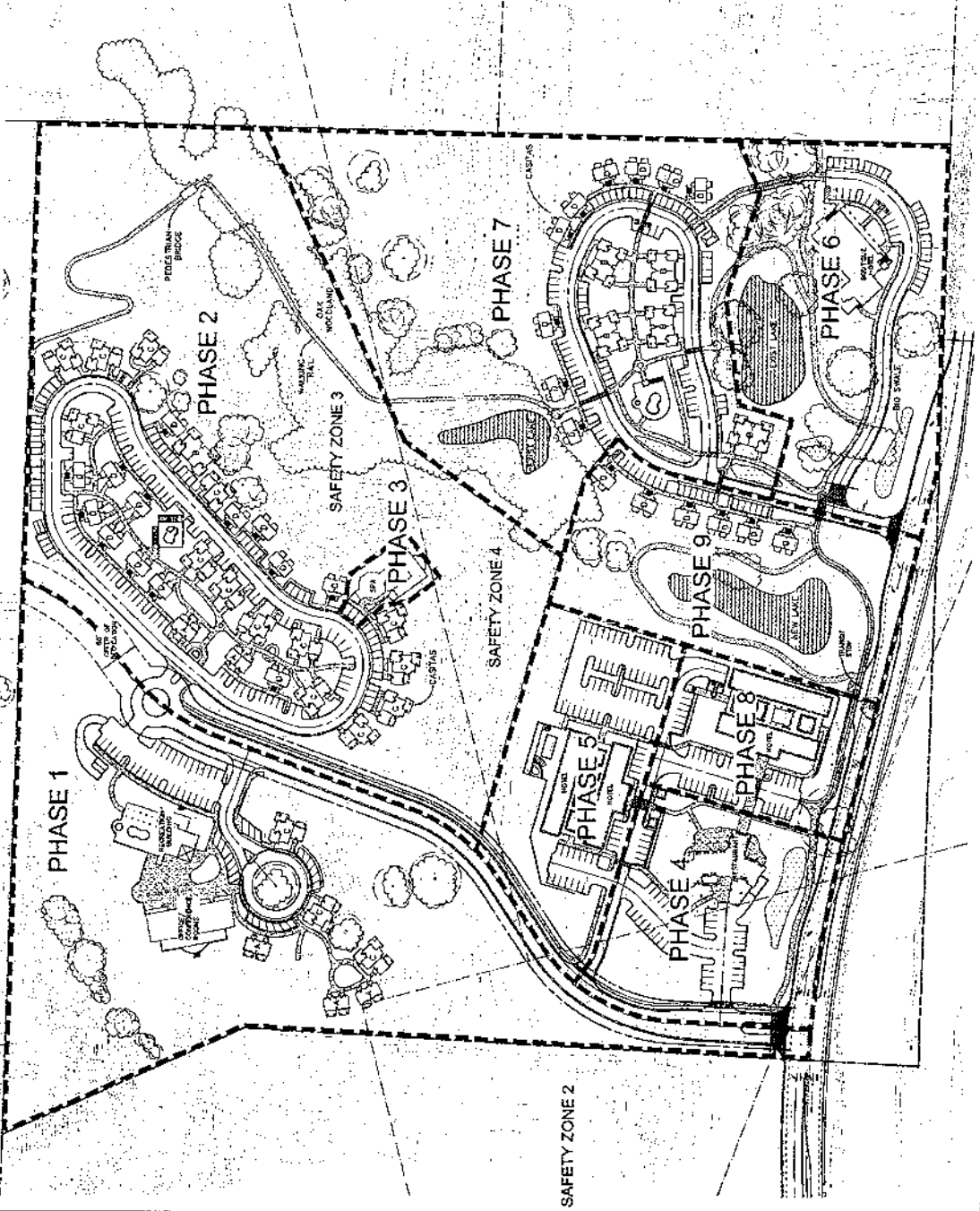
The Project is planned for development as a recreational family resort including approximately 175 vacation "Casitas" and 116 hotel rooms, as well as a clubhouse with a health spa, restaurant, conference space, and various other site amenities such as pools and hot tubs. A detailed site plan is shown in Figure 7.

**PHASING CONCEPT**

PHASE	FOOTPRINTS	SQ. FT. AREA
PHASE 1	1 UNIT	1,025 SF
PHASE 2	1 UNIT	2,716 SF
PHASE 3	3 UNITS	8,000 SF
PHASE 4	3 UNITS	1,795 SF
PHASE 5	16 UNITS	10,800 SF
PHASE 6	16 UNITS	10,800 SF
PHASE 7	16 UNITS	10,800 SF
PHASE 8	16 UNITS	10,800 SF
PHASE 9	16 UNITS	10,800 SF
PHASE 10	16 UNITS	10,800 SF
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PHASE 98	16 UNITS	10,800 SF
PHASE 99	16 UNITS	10,800 SF
PHASE 100	16 UNITS	10,800 SF

**PROJECT STATISTICS SUMMARY**

HOTEL ROOMS	100	TOTAL	1,000 SF
OFFICE SPACE	100	TOTAL	1,000 SF
RESTAURANT	100	TOTAL	1,000 SF
VARIOUS VILLAGE	100	TOTAL	1,000 SF
OFFICE MAINTENANCE SPACE	1,000 SF		
CONFERENCE/MEETING SPACE	1,000 SF		
RESTAURANT	1,000 SF		
VARIOUS VILLAGE	1,000 SF		
OFFICE MAINTENANCE SPACE	1,000 SF		
CONFERENCE/MEETING SPACE	1,000 SF		
RESTAURANT	1,000 SF		
VARIOUS VILLAGE	1,000 SF		



Handley Property Traffic Impact Study

**Project Site Plan**

Figure 7



## PROJECT TRIP GENERATION

Project site trip generation has been estimated utilizing equations contained in the Institute of Transportation Engineers (ITE) Publication *Trip Generation, Seventh Edition*. Table 8 outlines the trip generation estimates from various increments of development as provided in a phasing plan by the Project applicant. However, although a set of development phases was provided, for impact analysis purposes the Project has been assumed to be fully built-out when included in "Plus Project" scenarios. Analysis was performed on AM and PM Peak-Hour periods from 7 to 9 AM and 4 to 6 PM respectively, when it is expected that network trips will be greatest, due to commuter traffic.

TABLE 8  
PROJECT TRIP GENERATION

Land Use Category (ITE Code)	Units	AM Peak Hour Trip Rate/Unit			PM Peak Hour Trip Rate/Unit		
		Total	In %	Out %	Total	In %	Out %
Resort Hotel (ITE 330)	Rooms	0.31	72%	28%	0.42	43%	57%
Land Use Description	Quantity (Units)	AM Peak Hour Trips			PM Peak Hour Trips		
		Total	In	Out	Total	In	Out
<i>PHASES I - IV</i>							
Resort Hotel (ITE 330)	105 rooms	33	23	9	44	19	25
<i>PHASES V - VII</i>							
Resort Hotel (ITE 330)	112 rooms	35	25	10	47	20	27
<i>PHASES VIII - IX</i>							
Resort Hotel (ITE 330)	74 rooms	23	17	6	31	13	18
Net Trips		90	65	25	122	53	70

In order to generate trips based on various stages of development, room numbers have been approximated based on information submitted by the Project applicant. However, there may be and often are other developments included in each phase. These other developments, including site amenities, are not factored into trip generation calculations. ITE trip generation land-use categories for other Destino Paso Resort amenities such as "Restaurant" and "Health Spa" were not added to the trip generation calculations because they are already accounted for in the "Resort Hotel" category itself. Further, these land-uses would be marketed towards hotel patrons and would not likely generate many separate trips to and from the site, if any at all.

## PROJECT SITE ACCESS

According to the site plan provided by the Project applicant, access to the Project is proposed at two locations on Airport Road, as seen in Figure 7. The main access driveway will be located where an existing dirt road is located. This Project driveway will provide access to the majority of "Casitas" and hotel rooms in the initial and intermediary phases of development. The second driveway will be located where an existing driveway accesses Airport Road. The Project extends this driveway farther east and loops around to provide access to the later development phases' facilities. All Project facilities will be connected by a network of pedestrian paths, although there is no vehicular connection between the initial and intermediary developments (accessed via northernmost main driveway) and the later developments (accessed via southernmost driveway). Such vehicular trips between Project facilities would require drivers to exit onto Airport Road and re-enter the adjacent driveway. It is unlikely that such trips would be significant, as most intra-facility trips will likely be made on foot or other modes.

## PROJECT TRIP DISTRIBUTION

The directional trip distribution and assignment of project-trips was based on existing and projected future travel patterns, and the probable project trip origins, including regional gateways. The proposed project trip distribution based on the existing roadway network is shown in Figure 8A. For future (With CRASP) scenarios in which Airport Road is extended south from SR 46 East, southbound Project-related trips on Golden Hill Road and Union Road will mostly be reassigned to the new Airport Road facility, as shown in Figure 8B.

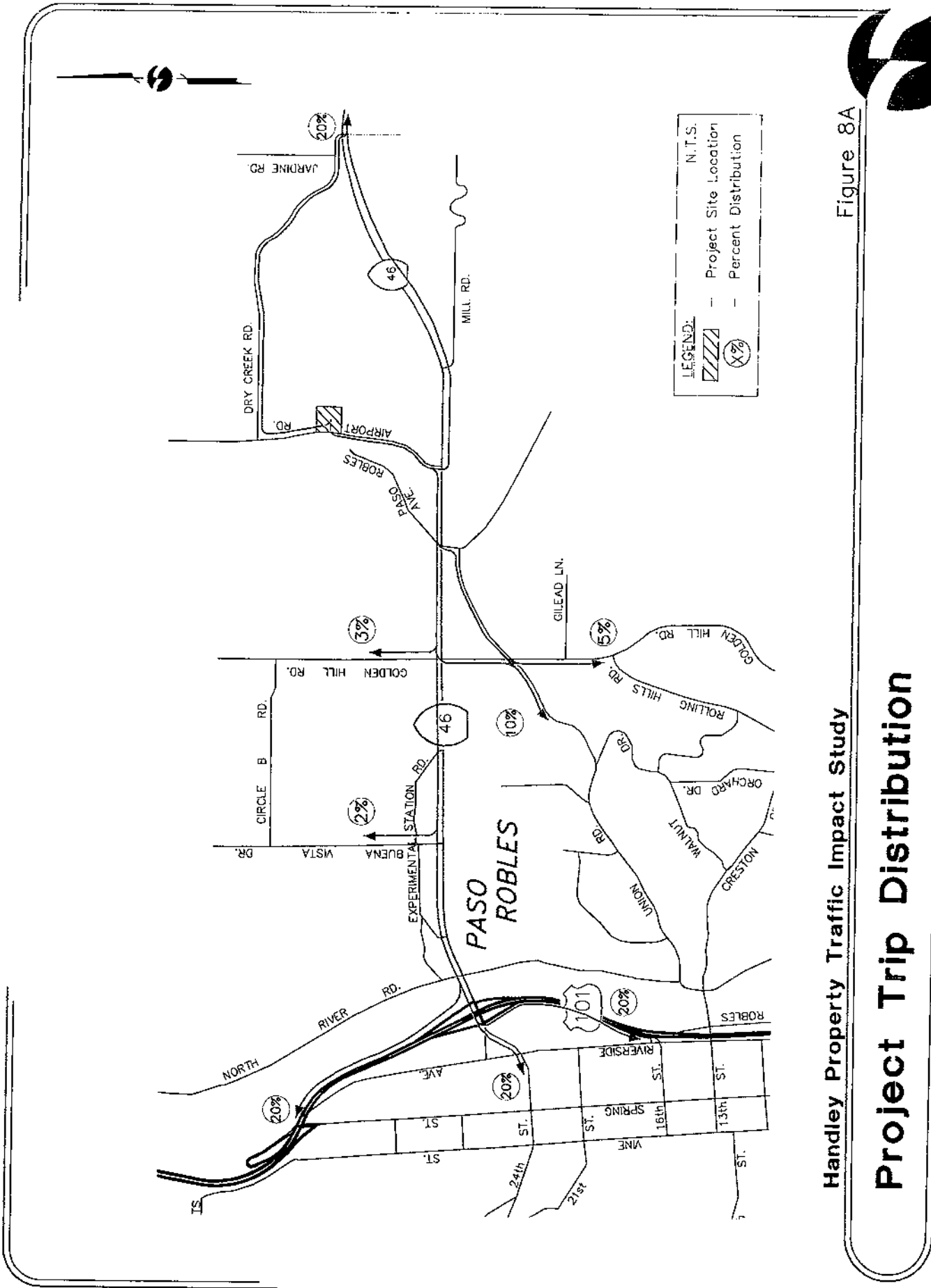
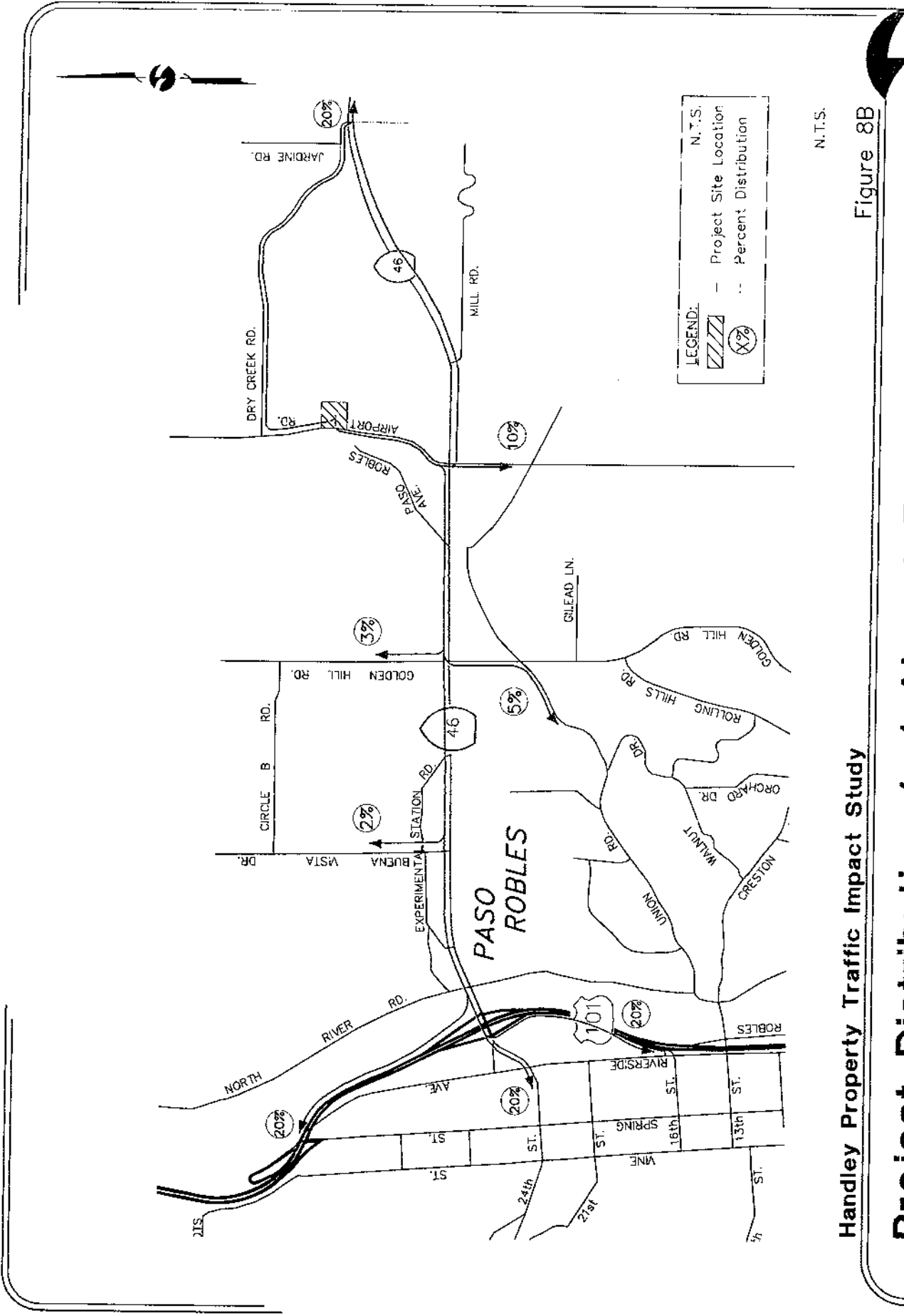


Figure 8A

Handley Property Traffic Impact Study

# Project Trip Distribution



Handley Property Traffic Impact Study

Figure 8B

# Project Distribution (w/ Airport Road connection)

## SHORT-TERM PLUS PROJECT CONDITIONS: TRAFFIC OPERATIONS

In the *Short-Term Plus Project* conditions analysis scenario, new project-generated trips are added to the projected volumes at study intersection locations. *Short-Term Plus Project* analysis was performed both with and without the inclusion of the approved project Chandler Ranch (CRASP). These scenarios analyze the existing transportation setting in the City of Paso Robles, with the addition of imminent transportation system improvements and build-out of approved projects, including the Project, and quantifies the operations of study intersections based on delay and LOS as defined in the Level of Service Methodologies and Policies section.

Roadway analysis on Airport Road between Dry Creek Road and SR 46 East was performed based on an average daily volume of 15,000 for the *Short-Term Plus Project (No CRASP)* scenario and an average daily volume of 16,200 for the *Short-Term Plus Project (With CRASP)* scenario. In both instances, the two-lane arterial fails to provide adequate capacity for the projected volumes and results in LOS "F" for the segment.

*Short-Term Plus Project (No CRASP)* intersection volumes are presented in Figure 9. Table 9 presents the results of the intersection LOS analysis, for both the AM Peak-Hour and PM Peak-Hour, for the *Short-Term Plus Project (No CRASP)* scenario.

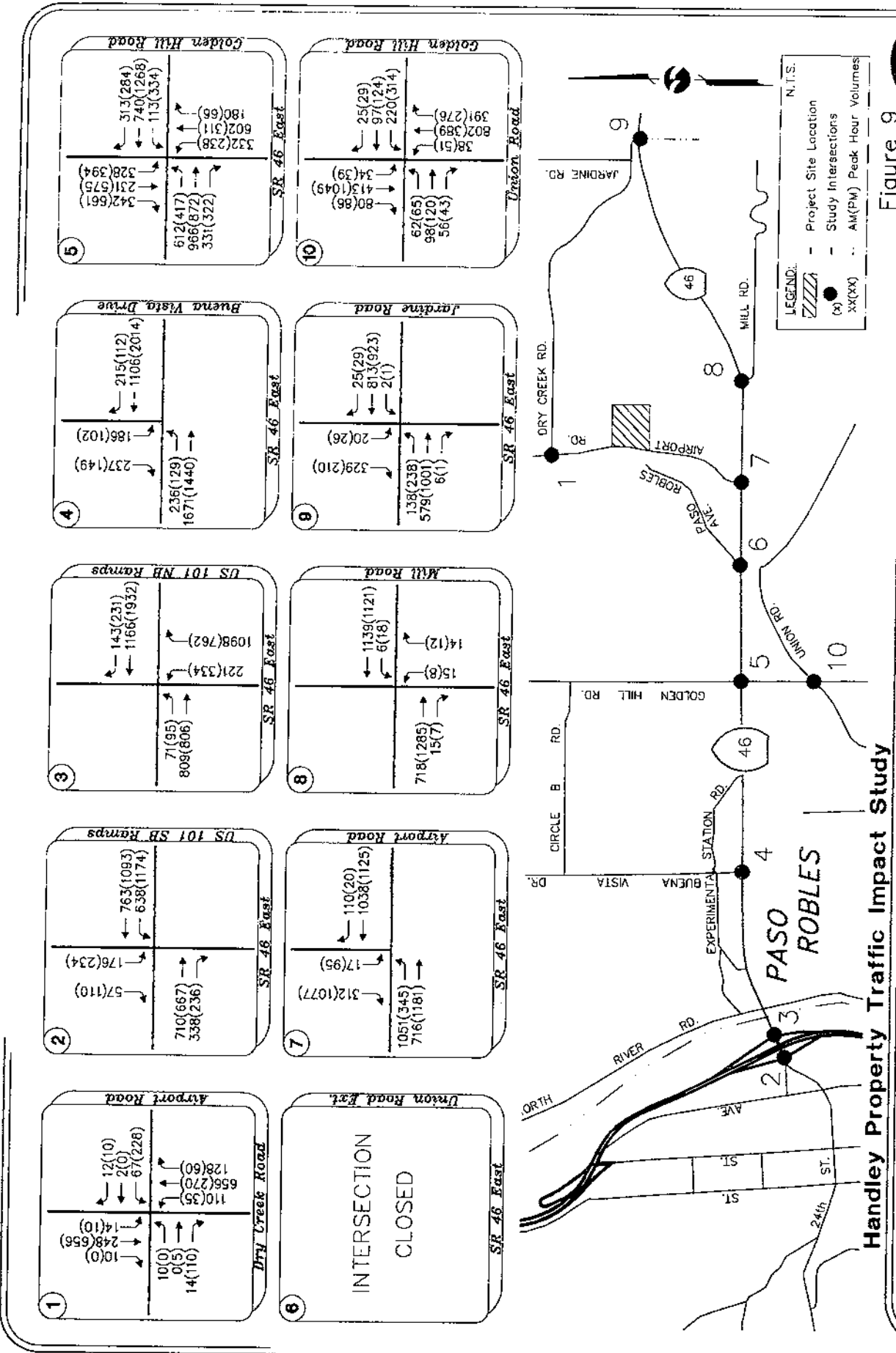
TABLE 9  
SHORT-TERM PLUS PROJECT (NO CRASP) INTERSECTION LEVELS OF SERVICE

#	Intersection	Control Type	Target LOS	AM Peak Hour			PM Peak Hour		
				Delay	LOS	Warrant Met?	Delay	LOS	Warrant Met?
1	Airport Road/Dry Creek Road	RND	D	14.0	B	No	8.5	A	Yes
2	US 101 SB Ramps/SR 46 East	Signal	D	24.2	C	-	37.3	D	-
3	US 101 NB Ramps/SR 46 East	Signal	D	41.5	D	-	31.0	C	-
4	SR 46 East/Bucna Vista Drive	Signal	D	23.2	C	-	32.0	C	-
5	SR 46 East/Golden Hill Road	Signal	D	84.6	F	-	135.5	F	-
6	SR 46 East/Union Road Extension	TWSC	D	OVR	F	Yes	OVR	F	Yes
7	SR 46 East/Airport Road	Signal	D	193.7	F	-	200.3	F	-
8	SR 46 East/Mill Road	TWSC	D	28.1	D	No	61.6	F	No
9	SR 46 East/Jardine Road	TWSC	D	79.5	F	Yes	78.9	F	Yes
10	Golden Hill Road/Union Road	RND	D	87.8	F	-	119.7	F	-

Notes TWSC - Two-Way-Stop Control; AWSC - All-Way-Stop Control.  
Warrant - MUTCD Peak-Hour-Volume Warrant-3 (Urban Areas).  
Overflow = Delays exceed 999.9 seconds/vehicle.

- Intersections 2 and 3 are closely spaced with limited queue storage. The traffic volumes at Intersection 2 are metered by Intersection 3. Intersections 2 and 3 should be analyzed as a system, with the interchange operations reflected by the LOS found at Intersection 3.
- Differences in the projected LOS and associated delay may result from calculation methodology contained in traffic analysis software (e.g. Traffic versus Synchro) and the parameters used in the calculations.

Analysis results for this scenario are comparable to those in the *Short-Term No Project (No CRASP)* scenario. As presented in Table 9, there are no additional deficiencies compared to those identified in the *Short-Term No Project* scenarios. Intersections projected to operate at LOS "F" include Airport Road/Dry Creek Road, SR 46 East/Golden Hill Road, SR 46 East/Airport Road, SR 46 East/Mill Road (PM Peak-Hour only), SR 46 East/Jardine Road and Golden Hill Road/Union Road. Although no new deficiencies are forecasted in the Plus Project scenario, the delays at all study intersections increase due to increased traffic.



# Short-Term Plus Project (No CRASP) Volumes

Figure 9

Figure 10 presents the *Short-Term Plus Project (With CRASP)* intersection volumes. Table 10 presents the intersection levels of service results from the *Short-Term Plus Project (With CRASP)* analysis scenario.

TABLE 10  
SHORT-TERM PLUS PROJECT (WITH CRASP) INTERSECTION LEVELS OF SERVICE

# Intersection	Control Type	Target LOS	AM Peak Hour			PM Peak Hour		
			Delay	LOS	Warrant Met?	Delay	LOS	Warrant Met?
1 Airport Road/Dry Creek Road	TWSC	D	451.4	F	N	OVR	F	Y
2 US 101 SB Ramps/SR 46 East	Signal	D	24.5	C	-	38.5	D	-
3 US 101 NB Ramps/SR 46 East	Signal	D	42.3	D	-	31.7	C	-
4 SR 46 East/Bucna Vista Drive	Signal	D	24.1	C	-	36.6	D	-
5 SR 46 East/Golden Hill Road	Signal	D	92.3	F	-	146.5	F	-
6 SR 46 East/Union Road Extension	Intersection Closed							
7 SR 46 East/Airport Road <sup>2</sup>	Interchange Assumed							
8 SR 46 East/Mill Road	TWSC	D	31.9	D	-	75.4	F	N
9 SR 46 East/Jardine Road	TWSC	D	98.4	F	Y	104.7	F	Y
10 Golden Hill Road/Union Road	RNDBT	D	164.6	F	-	247.1	F	-

Notes TWSC=Two-Way-Stop Control; AWSC = All-Way-Stop Control.  
Warrant - MUTCD Peak-Hour-Volume Warrant-3 (Urban Areas).  
Overflow = Delays exceed 999.9 seconds/vehicle.

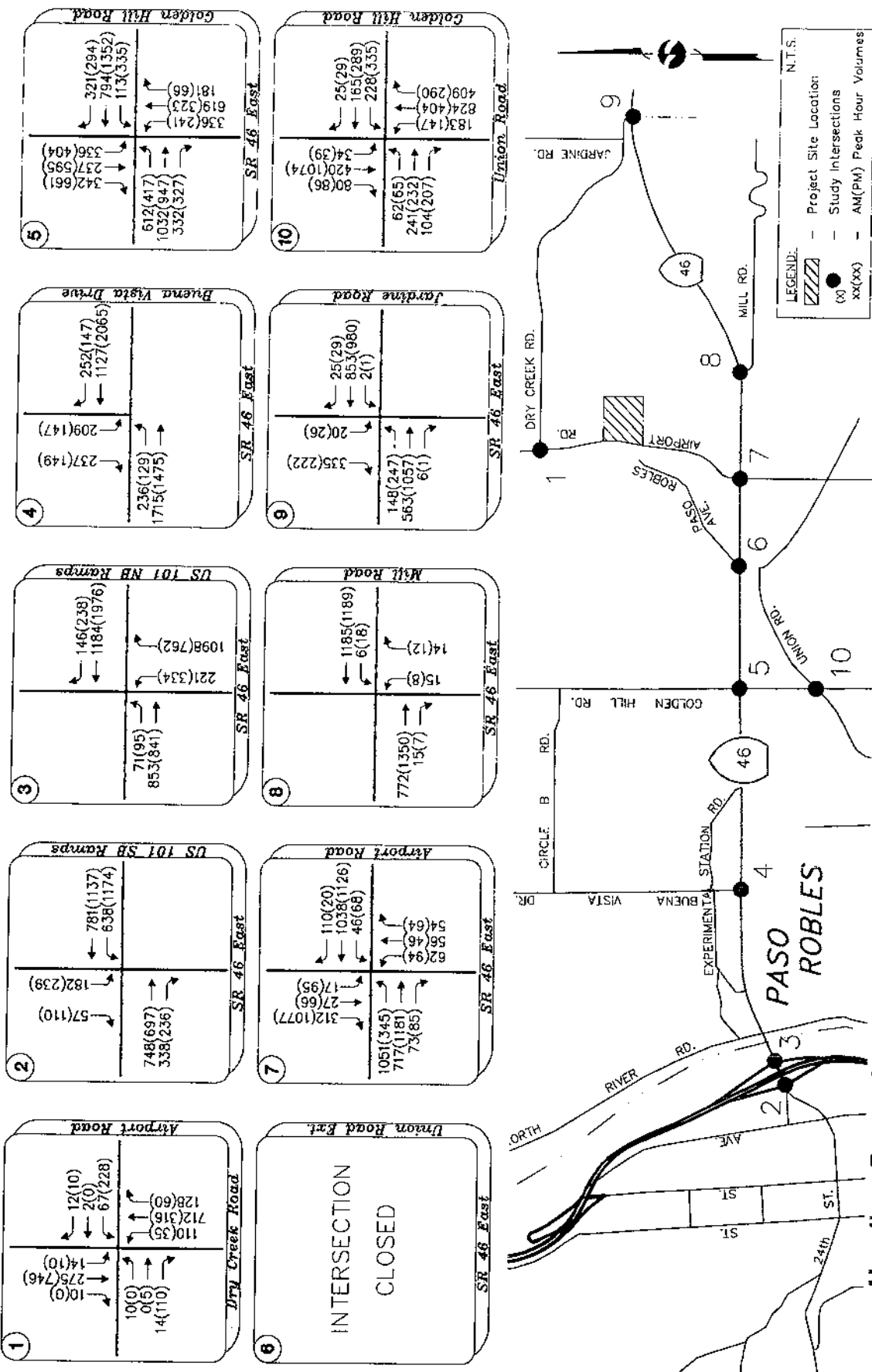
1. Intersections 2 and 3 are closely spaced with limited queue storage. The traffic volumes at Intersection 2 are metered by Intersection 3. Intersections 2 and 3 should be analyzed as a system, with the interchange operations reflected by the LOS found at Intersection 3.
2. This interchange will be designed to acceptable LOS standards and will handle projected traffic volumes. Detailed configurations for this interchange are not available at this time. For these reasons, this interchange is assumed to operate acceptably during both the AM Peak-Hour and the PM Peak-Hour.
3. Differences in the projected LOS and associated delay may result from calculation methodology contained in traffic analysis software (e.g. Traffix versus Synchro) and the parameters used in the calculations.

As expressed in Table 10, no further deficiencies are projected with the addition of CRASP development. However, delay times increase across all study locations, especially at the Golden Hill Road/Union Road roundabout. The construction of an interchange at SR 46 East/Airport Road will provide adequate levels of service because interchange will be designed to handle projected travel demand beyond the volumes projected for the *Short-Term* conditions scenarios.



# Short-Term Plus Project (With CRASP) Volumes

Figure 10



**1** Dry Creek Road / Airport Road

10(0)	14(10)	12(10)	2(0)
10(0)	14(10)	12(10)	2(0)
110(35)	712(316)	128(60)	67(228)
10(0)	14(10)	12(10)	2(0)

**2** US 101 SB Ramps / Airport Road

57(110)	182(239)	781(1137)	638(1174)
57(110)	182(239)	781(1137)	638(1174)
748(697)	338(236)	54(64)	58(46)
57(110)	182(239)	781(1137)	638(1174)

**3** US 101 NB Ramps / Mill Road

71(95)	853(841)	146(238)	1184(1976)
71(95)	853(841)	146(238)	1184(1976)
221(334)	1098(762)	14(12)	6(16)
71(95)	853(841)	14(12)	6(16)

**4** Buena Vista Drive / Airport Road

237(149)	209(147)	252(147)	1127(2065)
237(149)	209(147)	252(147)	1127(2065)
236(129)	1715(1475)	148(247)	563(1057)
237(149)	209(147)	252(147)	1127(2065)

**5** Golden Hill Road / Golden Hill Road

342(661)	356(404)	321(294)	794(1352)
342(661)	356(404)	321(294)	794(1352)
612(417)	1032(947)	181(66)	113(335)
342(661)	356(404)	321(294)	794(1352)

**6** Union Road Ext. / Dry Creek Road

INTERSECTION CLOSED

**7** Airport Road / Airport Road

312(1077)	17(95)	110(20)	1038(1126)
312(1077)	17(95)	110(20)	1038(1126)
1051(345)	73(85)	46(68)	1185(1189)
312(1077)	17(95)	110(20)	1038(1126)

**8** Mill Road / Mill Road

772(1350)	15(7)	1185(1189)	6(16)
772(1350)	15(7)	1185(1189)	6(16)
15(8)	14(12)	25(29)	853(960)
772(1350)	15(7)	1185(1189)	6(16)

**9** Yardline Road / Yardline Road

335(222)	20(26)	25(29)	853(960)
335(222)	20(26)	25(29)	853(960)
148(247)	6(1)	2(1)	228(335)
335(222)	20(26)	25(29)	853(960)

**10** Golden Hill Road / Union Road

80(86)	34(39)	25(29)	165(289)
80(86)	34(39)	25(29)	165(289)
62(65)	241(232)	409(290)	228(335)
80(86)	34(39)	25(29)	165(289)

## CUMULATIVE CONDITIONS

*Cumulative* conditions refer to an analysis scenario approximately 20 years in the future. In this scenario, all approved projects are assumed developed, and land uses are presumed built out as per the City's General Plan. *Cumulative* conditions therefore assume full development of CRASP in all analysis scenarios. There will be a *Cumulative No Project* scenario analysis as well as a *Cumulative Plus Project* scenario analysis in order to gauge the Project's impacts in the context of City General Plan build-out.

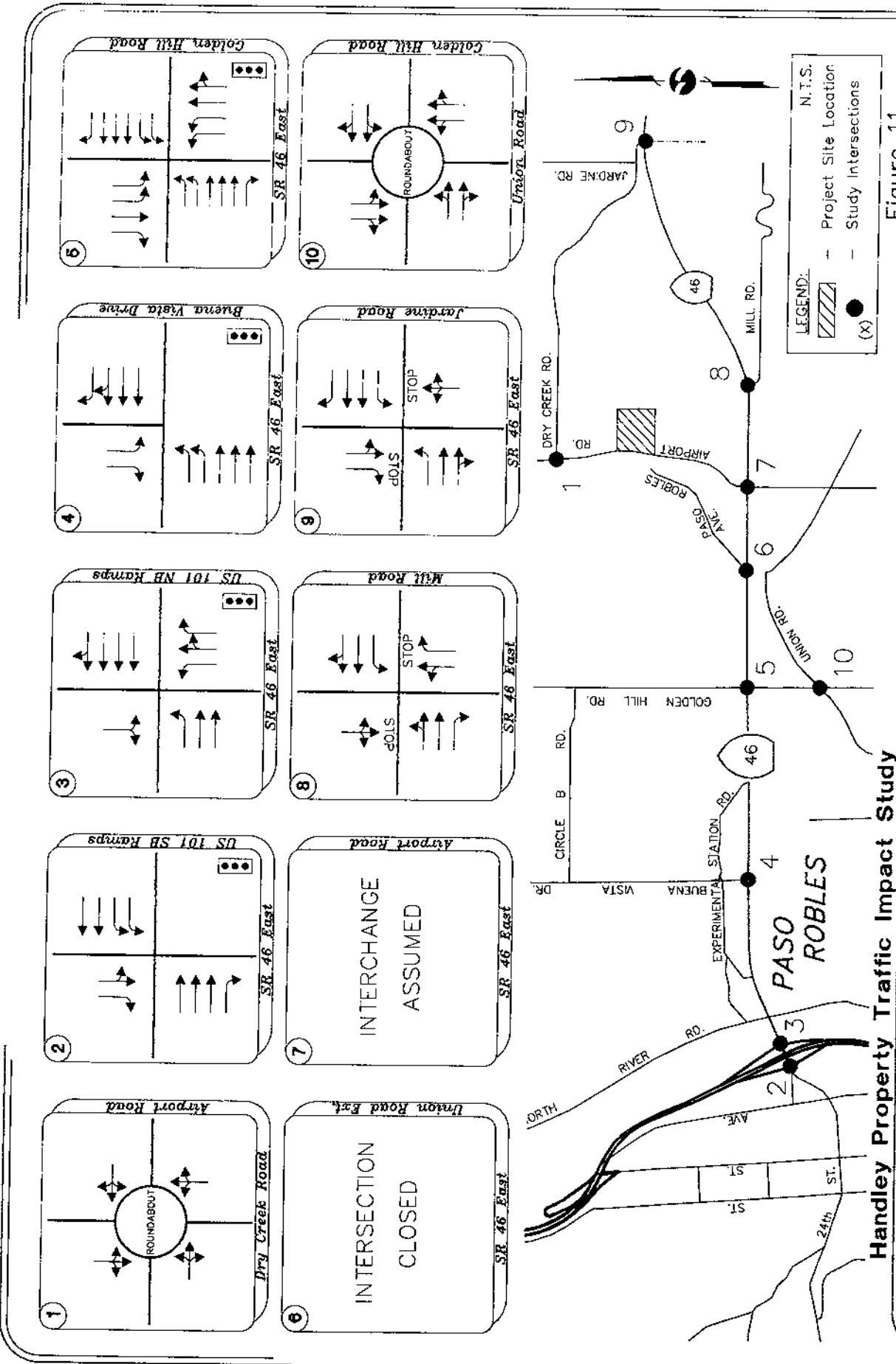
Improvements identified in the *Short-Term* scenarios are carried forward to *Cumulative* conditions. This scenario also incorporates roadway and intersection improvements that will be installed by 2030, as identified in the *Golden Hill Retail Center Final Transportation Impact Analysis* (Fehr & Peers, 2007). These improvements are shown in the *Cumulative* intersection configurations presented in Figure 11 and listed in Table 11. These improvements are hereon included in subsequent analysis scenarios.

TABLE 11  
CUMULATIVE ROADWAY NETWORK IMPROVEMENTS

#	Location	Improvement
1	SR 46E / US 101 SB Ramps	Re-optimize signal timing
2	SR 46E / US 101 NB Ramps	Add dual northbound right-turn lanes
3	SR 46E / Buena Vista Drive	Add westbound right turn lane
		Add second eastbound left-turn lane
4	SR 46E / Airport Road	Grade separated interchange
5	Golden Hill Road / Union Road	Widen single lane roundabout to two lanes

In addition to these identified improvements, SR 46 East is assumed to be widened to six lanes from west of Buena Vista Drive to east of Airport Road and Airport Road is assumed to be widened to four lanes.





# Cumulative Intersection Lane Geometrics & Controls

## CUMULATIVE NO PROJECT CONDITIONS: TRAFFIC OPERATIONS

The *Cumulative No Project* conditions scenario forecasts City build-out, including the CRASP project, at the future horizon year (2030) minus the proposed project. The Cumulative scenarios analyze the transportation setting in the City of Paso Robles with the addition of long-term transportation system improvements and quantifies the operations of study intersections based on delay and LOS as defined in the Level of Service Methodologies and Policies section.

*Cumulative No Project* intersection volumes are presented in Figure 12. Table 12 presents the results of the intersection LOS analysis, for both the AM Peak-Hour and PM Peak-Hour, for the *Cumulative No Project* scenario.

TABLE 12  
CUMULATIVE NO PROJECT INTERSECTION LEVELS OF SERVICE

# Intersection	Control Type	Target LOS	AM Peak Hour			PM Peak Hour		
			Delay	LOS	Warrant Met?	Delay	LOS	Warrant Met?
1 Airport Road/Dry Creek Road	TWSC	D	693.9	F	N	OVR	F	Y
2 US 101 SB Ramps/SR 46 East	Signal	D	34.0	C	-	121.5	F	-
3 US 101 NB Ramps/SR 46 East	Signal	D	176.0	F	-	155.7	F	-
4 SR 46 East/Buena Vista Drive	Signal	D	32.0	C	-	75.6	E	-
5 SR 46 East/Golden Hill Road	Signal	D	250.3	F	-	287.8	F	-
6 SR 46 East/Union Road Extension	Intersection Closed							
7 SR 46 East/Airport Road <sup>1</sup>	Interchange Assumed							
8 SR 46 East/Mill Road	TWSC	D	167.1	F	N	758.5	F	N
9 SR 46 East/Jardine Road	TWSC	D	735.9	F	Y	OVR	F	Y
10 Golden Hill Road/Union Road	RNDBT	D	17.7	C	-	9.9	A	-

Notes TWSC=Two-Way-Stop Control; AWSC = All-Way-Stop Control.

Warrant=MUTCD Peak-Hour-Volume Warrant-3 (Urban Areas).

Overflow = Delays exceed 999.9 seconds/vehicle.

1. Intersections 2 and 3 are closely spaced with limited queue storage. The traffic volumes at Intersection 2 are metered by Intersection 3. Intersections 2 and 3 should be analyzed as a system, with the interchange operations reflected by the LOS found at Intersection 3.
2. This interchange will be designed to acceptable LOS standards and will handle projected traffic volumes. Detailed configurations for this interchange are not available at this time. For these reasons, this interchange is assumed to operate acceptably during both the AM Peak-Hour and the PM Peak-Hour.
3. Differences in the projected LOS and associated delay may result from calculation methodology contained in traffic analysis software (e.g. Traffix versus Synchro) and the parameters used in the calculations.

As presented in Table 12, study intersections are largely projected to operate unacceptably under the *Cumulative No Project* scenario. Despite the improvements assumed under this scenario, intersections along SR 46 East largely operate at LOS "F" during both the AM Peak-Hour and the PM Peak-Hour. The exceptions to this are the US-101 SB Ramps/SR 46 East intersection and SR 46 East/Buena Vista Drive intersection, which are forecasted to operate at acceptable LOS "C" during the AM Peak-Hour. The SR 46 East/Buena Vista Drive intersection operates at LOS "E" during the PM Peak-Hour. The assumed two-lane roundabout is forecasted to provide adequate capacity for the projected volumes at Golden Hill Road/Union Road.

Roadway analysis on Airport Road between Dry Creek Road and SR 46 East was performed based on an average daily volume of 19,100 for the Cumulative No Project scenario. The assumed four-lane divided arterial facility is forecasted to provide adequate capacity for the projected volumes and results in LOS "A" for the segment.

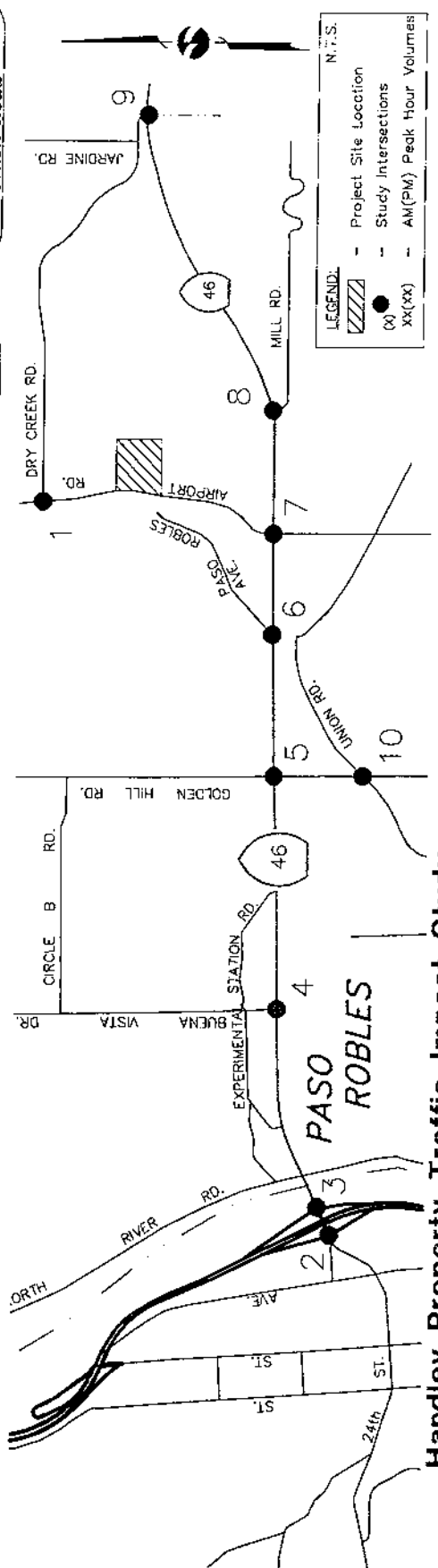
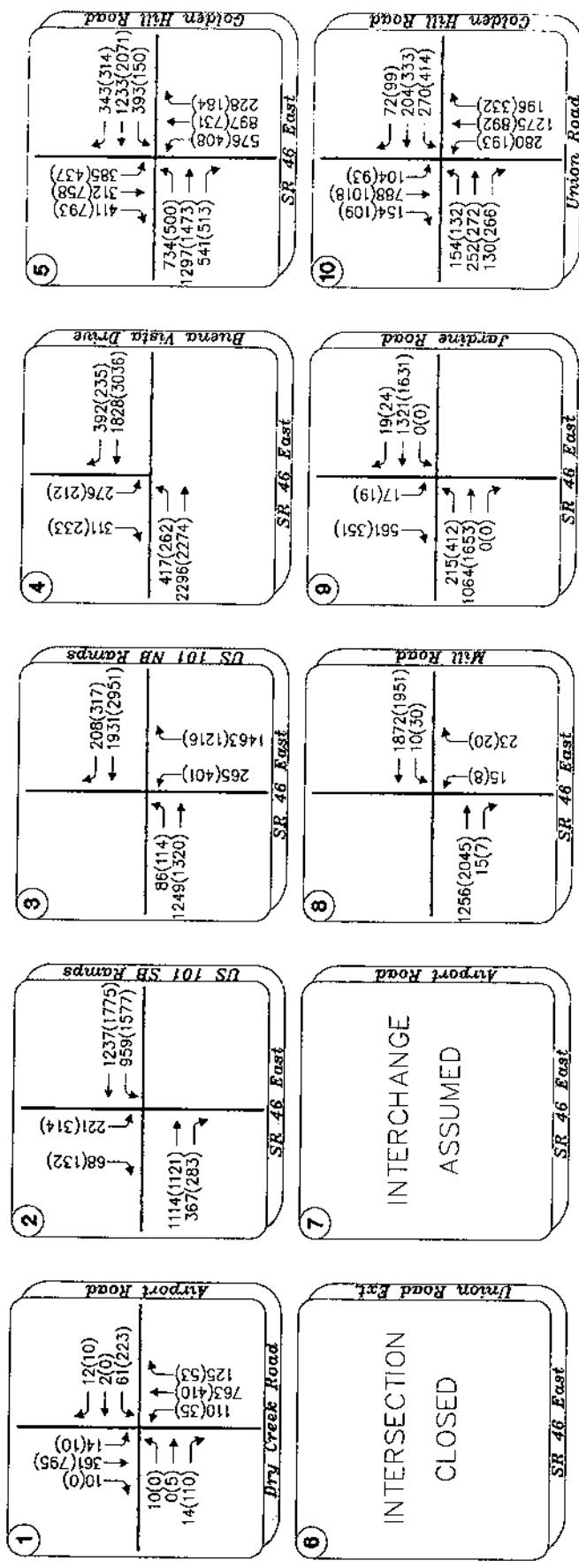


Figure 12

# Cumulative No Project Intersection Volumes

Handley Property Traffic Impact Study

## CUMULATIVE PLUS PROJECT CONDITIONS: TRAFFIC OPERATIONS

In the *Cumulative Plus Project* scenario, project-generated trips are added to the base *Cumulative No Project* volumes at study intersection locations. *Cumulative Plus Project* intersection volumes are presented in Figure 13. Table 13 presents the results of the intersection LOS analysis for the *Cumulative Plus Project* scenario.

TABLE 12  
CUMULATIVE PLUS PROJECT INTERSECTION LEVELS OF SERVICE

# Intersection	Control Type	Target LOS	AM Peak Hour			PM Peak Hour		
			Delay	LOS	Warrant Met?	Delay	LOS	Warrant Met?
1 Airport Road/Dry Creek Road	TWSC	D	781.8	F	N	OVR	F	Y
2 US 101 SB Ramps/SR 46 East	Signal	D	35.9	D	-	128.0	F	-
3 US 101 NB Ramps/SR 46 East	Signal	D	179.8	F	-	160.3	F	-
4 SR 46 East/Buena Vista Drive	Signal	D	32.6	C	-	78.5	E	-
5 SR 46 East/Golden Hill Road	Signal	D	255.7	F	-	294.1	F	-
6 SR 46 East/Union Road Extension	Intersection Closed							
7 SR 46 East/Airport Road <sup>1</sup>	Interchange Assumed							
8 SR 46 East/Mill Road	TWSC	D	169.7	F	N	774.9	F	N
9 SR 46 East/Jardine Road	TWSC	D	754.5	F	Y	OVR	F	Y
10 Golden Hill Road/Union Road	RNDBT	D	18.2	C	-	10.1	B	-

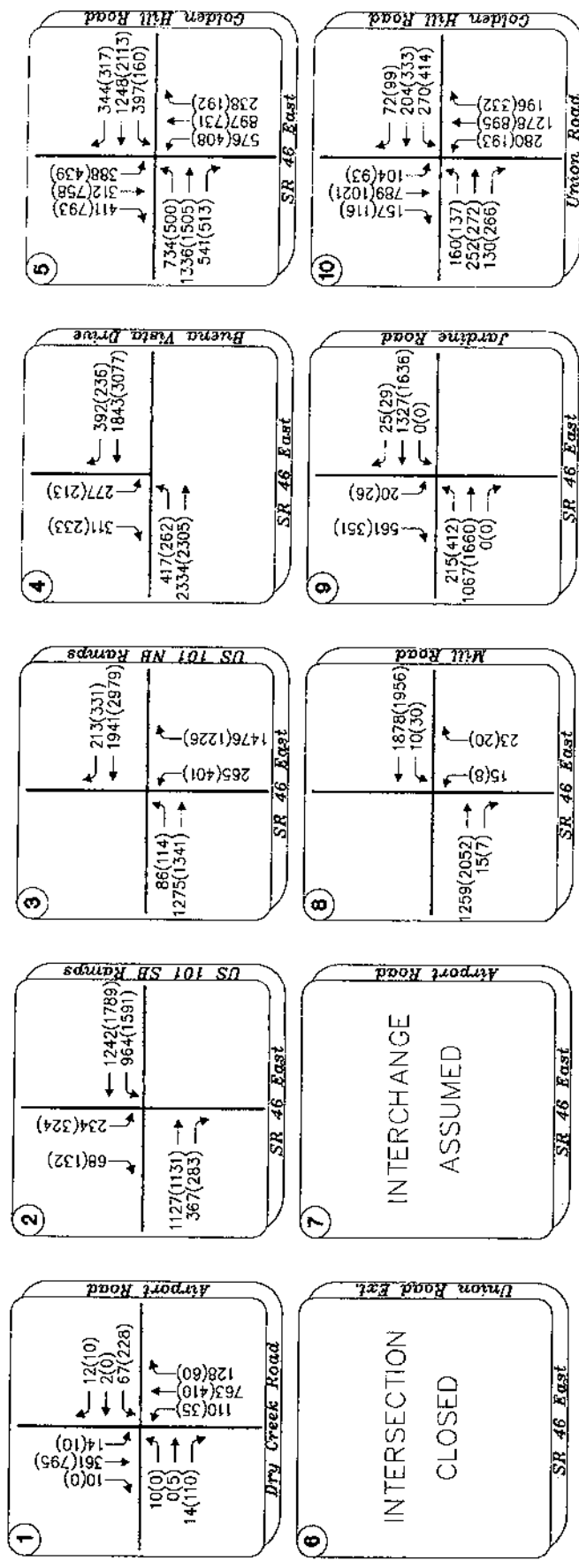
Notes TWSC=Two-Way-Stop Control; AWSC = All-Way-Stop Control.  
Warrant-MUTCD Peak-Hour-Volume Warrant-3 (Urban Areas).

Overflow = Delays exceed 999.9 seconds/vehicle.

1. Intersections 2 and 3 are closely spaced with limited queue storage. The traffic volumes at Intersection 2 are metered by Intersection 3. Intersections 2 and 3 should be analyzed as a system, with the interchange operations reflected by the LOS found at Intersection 3.
2. This interchange will be designed to acceptable LOS standards and will handle projected traffic volumes. Detailed configurations for this interchange are not available at this time. For these reasons, this interchange is assumed to operate acceptably during both the AM Peak-Hour and the PM Peak-Hour.
3. Differences in the projected LOS and associated delay may result from calculation methodology contained in traffic analysis software (e.g. Traffix versus Synchro) and the parameters used in the calculations.

Deficiencies identified in the *Cumulative No Project* scenario are forecasted to occur in the *Cumulative Plus Project* scenario. Again, most intersections along SR 46 East are projected to operate at unacceptable LOS "F". The exceptions are the US 101 SB Ramps/SR 46 East and SR 46 East/Buena Vista Drive intersections, which operate at LOS "C" during the AM Peak-Hour. The SR 46 East/Buena Vista Drive intersection is forecasted to operate at LOS "E" during the PM Peak-Hour. The Golden Hill Road/Union Road roundabout is forecasted to provide adequate capacity for projected volumes, operating at LOS "C" and "B" during the AM Peak-Hour and PM Peak-Hour, respectively.

Roadway analysis on Airport Road between Dry Creek Road and SR 46 East was performed based on an average daily volume of 19,700 for the *Cumulative Plus Project* scenario. The assumed four-lane divided arterial facility is forecasted to provide adequate capacity for the projected volumes and results in LOS "A" for the segment.



# Cumulative Plus Project Intersection Volumes

## MITIGATION MEASURES

This section presents recommended mitigation measures at the study intersections, developed based on the findings from the analyses of various scenarios and conditions presented in the prior sections of this report. This section subsequently evaluates traffic operations based on the proposed improvements.

### EXISTING CONDITIONS

The recommended improvements in this section are based on analyses of intersections using traffic counts collected over the past two years and current intersection configurations.

US 101/SR 46 East Interchange – Caltrans is planning for improvements at the US 101/SR 46E interchange. The planned improvements are to add a second westbound left-turn lane to the southbound ramp intersection and to add westbound lanes through the northbound ramp intersection. These improvements are forecasted to alleviate existing and near-term deficiencies.

SR 46 East/Golden Hill Road – This intersection currently serves as the primary access point to SR 46E for the City south of SR 46E and east of US 101. Widening the intersection to the following configuration is projected to alleviate existing deficiencies:

- Northbound – two left-turn lanes, one through lane, one shared through-right turn lane
- Southbound – two left-turn lanes, one through lane, one right turn lane
- Eastbound/Westbound – two left-turn lanes, two through lanes, one right-turn lane

SR 46 East/Union Road Extension – This intersection will no longer be of issue when Union Road Extension is closed. This closure is assumed for *Short-Term* conditions.

SR 46 East/Airport Road – Improvements are under study by Caltrans at this intersection. The near-term planned improvement is to add second lanes in each direction from the existing four-lane segment in the City to east of Genesco Road. The long-term planned improvement is to connect the two non-continuous sections of Airport Road, with the connection at SR 46E constructed as an at-grade, signal-controlled intersection or grade-separated interchange.

SR 46 East/Jardine Road – Improvements are under study by Caltrans at the segment of SR 46 East, east of Airport Road. The planned improvement is to add second lanes in each direction from the existing four-lane segment in the City to east of Genesco Road. The added capacity of this lane mitigates the existing deficiency at this location.

Golden Hill Road/Union Road – This intersection is currently under temporary signal control. The recommended improvement is to install a single lane roundabout with the ability to expand to a double-lane roundabout.

Table 13 presents the intersection LOS results for those intersections that were found to operate deficiently during the *Existing* conditions analysis. Mitigated analysis was performed only for the peak-hour(s) during which the deficient intersection were projected to operate at an unacceptable LOS.

**TABLE 13  
MITIGATED EXISTING INTERSECTION LEVELS OF SERVICE**

# Intersection	Control Type	Target LOS	AM Peak Hour			PM Peak Hour		
			Delay	LOS	Warrant Met?	Delay	LOS	Warrant Met?
3 US 101 NB Ramps/SR 46 East	Signal	D				23.6	C	-
5 SR 46 East/Golden Hill Road	Signal	D	31.1	C	-	25.2	C	-
6 SR 46 East/Union Road Extension			Intersection Closed					
7 SR 46 East/Airport Road			Interchange Assumed					
9 SR 46 East/Jardine Road	TWSC	D	18.4	C	N			
10 Golden Hill Road/Union Road	RNDBT	D				7.4	A	-

Notes:

TWSC = Two Way Stop Control

Warrant = Caltrans Peak hour volume based signal warrant

### SHORT-TERM NO PROJECT CONDITIONS

The recommended improvements in this section are based on traffic forecasts calculated by adding trips generated by approved projects to the existing volumes. The *Short-Term* conditions roadway network consists of the existing network, plus improvements that will be installed in conjunction with other developments. The added projects include developments along Airport Road, the entirety of the Golden Hill Retail Center, and the Chandler Ranch Area Specific Plan.

Airport Road/Dry Creek Road – This intersection is planned for improvement as a single-lane roundabout as a part of an approved project along Airport Road. The roundabout is forecasted to provide enough capacity to yield LOS “D” operations or better under both the AM and PM peak hours.

US 101/SR 46 East Interchange – Improvements are under study by Caltrans at the US 101/SR 46E interchange. The planned improvements are to add a second westbound left-turn lane to the southbound ramp intersection and to add westbound lanes through the northbound ramp intersection. These improvements are forecasted to alleviate existing and near-term deficiencies

SR 46 East/Golden Hill Road – This intersection currently serves as the primary access point to SR 46E for the City south of SR 46E and east of US 101. Widening the intersection to the following configuration has been assumed in *Short-Term* scenarios.

- Northbound – two left-turn lanes, one through lane, one shared through-right turn lane
- Southbound – two left-turn lanes, one through lane, one right turn lane
- Eastbound/Westbound – two left-turn lanes, two through lanes, one right-turn lane

This intersection is forecasted to yield unacceptable LOS with the above lane geometrics. In order to improve operations, overlap phasing is recommended for the southbound right turn movement, as well as prohibition of u-turns for the eastbound movement. In conjunction with further widening of SR 46 East to a six-lane facility, this intersection is projected to operate at LOS “E” under these conditions.

SR 46 East/Airport Road – Improvements are under study by Caltrans at this intersection. The near-term planned improvement is to add second lanes in each direction from the existing four-lane segment in the City to east of Genesco Road. The long-term planned improvement is to connect the two non-continuous sections of Airport Road as a part of the CRASP. A new northbound connection at SR 46E would be constructed as a grade-separated interchange. Caltrans has determined that an at-grade signal at this location would be unacceptable.

SR 46 East/Mill Road – Improvements are under construction by Caltrans at the segment of SR 46 East, east of Airport Road. The planned improvement is to add second lanes in each direction from the existing

four-lane segment in the City to east of Genesco Road. The high traffic volumes along SR 46E indication some form of control would be needed to allow minor-approach traffic to turn left onto SR 46E. Alternatively, the SR 46 East/Mill Road intersection could be closed and traffic redirected to the future Airport Road connection.

SR 46 East/Jardine Road – Improvements are under study by Caltrans at the segment of SR 46 East, east of Airport Road. The planned improvement is to add second lanes in each direction from the existing four-lane segment in the City to east of Jardine Road. This intersection will also require signalization in order to get vehicles from the minor approaches across safely to make the southbound left turn movement. If signalization is not allowed to Caltrans, access may be limited to right-turn in and right-turn out movements only. The left-turn out movement would need to be redirected to the new interchange at SR 46 East/Airport Road.

Golden Hill Road/Union Road – This intersection is currently under temporary signal control. The mitigation for the *Existing* scenario is to install a single lane roundabout with the ability to expand to a double-lane roundabout. In order to mitigate *Short-Term* scenario deficiencies, this intersection must be built-out to a double-lane roundabout.

Airport Road between Dry Creek Road and SR 46 East – The planned expansion of this roadway from a two-lane arterial facility to a four-lane divided arterial facility provides adequate capacity to mitigate the deficient operations projected on this facility. This improvement would yield LOS “A” on this roadway segment.

Table 14 presents the intersection LOS results for those intersections that were found to operate deficiently during the *Short-Term* conditions analysis. Mitigated analysis was performed based on the *Short-Term No Project (With CRASP)* scenario, as it provides the most conservative estimate of intersection performance for the *Short-Term* condition without including project-generated trips. Only those intersections that projected as deficient are presented in the table.

TABLE 14  
MITIGATED SHORT-TERM NO PROJECT INTERSECTION LEVELS OF SERVICE

#	Intersection	Control Type	Target LOS	AM Peak Hour			PM Peak Hour		
				Delay	LOS	Warrant Met?	Delay	LOS	Warrant Met?
5	SR 46 East/Golden Hill Road	Signal	D	62.9	E	-	75.4	E	-
6	SR 46 East/Union Road Extension	Intersection Closed							
7	SR 46 East/Airport Road	Interchange Assumed							
8	SR 46 East/Mill Road	Intersection Closed - Redirect to Airport Road Interchange							
9	SR 46 East/Jardine Road	Signal	D	38.1	D	-	24.5	C	-
10	Golden Hill Road/Union Road	RND	D	4.8	A	-	5.4	A	-



### SHORT-TERM PLUS PROJECT CONDITIONS

The recommended improvements for the *Short-Term Plus Project* scenarios are identical to those issued for the *Short-Term No Project* scenarios. No further deficiencies are identified when adding project trips to the *Short-Term* condition. Please refer to the *Short-Term No Project Conditions Improvements* section for recommended mitigation measures.

Table 15 presents the mitigated analysis results based on the *Short-Term Plus Project (With CRASP)* scenario, as it provides the most conservative estimate of intersection performance for the *Short-Term* condition including project-generated trips.

TABLE 15  
MITIGATED SHORT-TERM PLUS PROJECT INTERSECTION LEVELS OF SERVICE

# Intersection	Control Type	Target LOS	AM Peak Hour			PM Peak Hour		
			Delay	LOS	Warrant Met?	Delay	LOS	Warrant Met?
5 SR 46 East/Golden Hill Road	Signal	D	64.2	E	-	77.9	E	-
6 SR 46 East/Union Road Extension	Intersection Closed							
7 SR 46 East/Airport Road	Interchange Assumed							
8 SR 46 East/Mill Road	Intersection Closed - Redirect to Airport Road Interchange							
9 SR 46 East/Jardine Road	Signal	D	38.2	D	-	24.5	C	-
10 Golden Hill Road/Union Road	RND	D	4.8	A	-	5.5	A	-

### CUMULATIVE CONDITIONS

The recommended improvements in this section are based on traffic forecasts calculated from the build-out of the City General Plan. Results are presented in subsequent tables for both *Cumulative No Project* and *Cumulative Plus Project* although project-generated trips do not cause any additional intersections to become deficient. Most improvements identified, except for those at the Airport Road/Dry Creek Road intersection, involve extensive construction/reconstruction and cannot be evaluated without further study into an ultimate SR 46 East layout.

Airport Road/Dry Creek Road – This intersection is planned for improvement as a single-lane roundabout as a part of an approved project along Airport Road. The roundabout is forecasted to provide enough capacity to yield LOS “D” operations or better under both the AM and PM peak hours.

US 101/SR 46 East Interchange – The traffic demand on SR 46 East is forecasted to exceed its capacity as an urban highway even with additional widening. Additional capacity can be provided by converting SR 46 East to a four-lane freeway with grade-separated interchanges or by constructing an alternative parallel route (e.g. bypass). If SR 46 East is converted to a freeway, the US 101/SR 46 East interchange should be reconstructed as a freeway-to-freeway interchange.

SR 46 East/Buena Vista Drive – The traffic demand on SR 46 East is forecasted to exceed its capacity as an urban highway even with additional widening. Additional capacity can be provided by converting SR 46 East to a four-lane freeway with grade-separated interchanges or by constructing an alternative parallel route (e.g. bypass). If SR 46 East is converted to a freeway, the SR 46 East/Buena Vista Drive intersection should be closed and traffic diverted to the adjacent Golden Hill Road interchange (see next mitigation measure).

SR 46 East/Golden Hill Road – The traffic demand on SR 46 East is forecasted to exceed its capacity as an urban highway even with additional widening. Additional capacity can be provided by converting SR 46 East to a four-lane freeway with grade-separated interchanges or by constructing an alternative parallel

route (e.g. bypass). If SR 46 East is converted to a freeway, the SR 46 East/Golden Hill Road intersection should be reconstructed as an interchange.

SR 46 East/Airport Road – The traffic demand on SR 46 East is forecasted to exceed its capacity as an urban highway even with additional widening. Additional capacity can be provided by converting SR 46 East to a four-lane freeway with grade-separated interchanges or by constructing an alternative parallel route (e.g. bypass). If SR 46 East is converted to a freeway, the SR 46 East/Airport Road intersection should be reconstructed as an interchange. This improvement is consistent with the ultimate concept at this existing intersection.

SR 46 East/Mill Road – The traffic demand on SR 46 East is forecasted to exceed its capacity as an urban highway even with additional widening. Additional capacity can be provided by converting SR 46 East to a four-lane freeway with grade-separated interchanges or by constructing an alternative parallel route (e.g. bypass). If SR 46 East is converted to a freeway, the SR 46 East/Mill Road intersection should be closed and traffic diverted to the adjacent Airport Road interchange (see previous mitigation measure).

SR 46 East/Jardine Road – The traffic demand on SR 46 East is forecasted to exceed its capacity as an urban highway even with additional widening. Additional capacity can be provided by converting SR 46 East to a four-lane freeway with grade-separated interchanges or by constructing an alternative parallel route (e.g. bypass). Further study of the long-term travel demand on the SR 46 East corridor is required to determine whether the freeway needs to be extended through this intersection and whether the intersection should be reconstructed as an interchange.

Table 16 presents the ultimate recommended improvements for the *Cumulative No Project* and *Cumulative Plus Project* scenarios. The City is currently studying alternatives to SR 46E widening or conversion to a freeway, including the construction of parallel routes. The recommended improvements may be reevaluated after the City's study is completed.

TABLE 16  
MITIGATED CUMULATIVE NO PROJECT INTERSECTION LEVELS OF SERVICE

#	Intersection	Control Type	Target LOS	AM Peak Hour			PM Peak Hour		
				Delay	LOS	Warrant Met?	Delay	LOS	Warrant Met?
2	US 101 SB Ramps/SR 46 East			Freeway-to-Freeway Interchange Assumed					
3	US 101 NB Ramps/SR 46 East			Freeway-to-Freeway Interchange Assumed					
4	SR 46 East/Buena Vista Drive			Intersection Closed - Redirect to Golden Hill Road Interchange					
5	SR 46 East/Golden Hill Road			Interchange Assumed					
6	SR 46 East/Union Road Extension			Intersection Closed					
7	SR 46 East/Airport Road			Interchange Assumed					
8	SR 46 East/Mill Road			Intersection Closed - Redirect to Airport Road Interchange					
9	SR 46 East/Jardine Road			Future Closure or Interchange Location Assumed					

# **Biological Report**

for

## **Destino Paso**

**Tentative Tract Map 2962**

**APN 025-436-029, -030**

Paso Robles  
San Luis Obispo County  
California



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**Exhibit E**  
Biological Study  
PD 08-002, et al  
(Handley)

**Paso Robles**

**FEB 20 2008**

**Planning Division**

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## **Synopsis**

- This biological report provides information regarding botanical and zoological resources on 40.36 acres (APN 025-436-029 and -030) located on Airport Road in the City of Paso Robles, San Luis Obispo County, California.
- The proposed project is development of a hotel complex consisting of two 50-room hotels, a 16-room boutique hotel, 175 casitas, restaurant, spa, recreation area with pool, office management space, and a conference/wedding space.
- Seven habitat types are present on the property: irrigated pasture, anthropogenic, annual grassland, blue oak woodland, seasonal pond, wetland, and riparian. A floristic survey of the property identified 132 species of plants.
- Seven special status plants and eleven special status animals have the potential to occur on the property. No special status plants or animals were found on the property during our surveys.
- Wetlands occur in drainages on the property. A wetland delineation will be required to identify the extent of wetlands under the jurisdiction of the State of California and the U.S. Army Corps of Engineers that may be impacted by proposed drainage crossings.
- Oak trees occur on the property and may be impacted by the proposed project. An oak tree inventory and protection plan is being prepared for the project by a licensed arborist.
- Biological resources that could be impacted by the proposed development include grasslands, wetlands, oak trees, special status species, nesting birds, and common wildlife.
- This document provides mitigation recommendations designed to reduce impacts to biological resources on the property to a less than significant level.

## 1.0 Introduction

This document presents the results of biological investigations regarding a 40.36-acre property on Airport Road in the City of Paso Robles. Results are reported for floristic and wildlife surveys of the property, a habitat inventory, and database and literature searches of rare species reports within five miles of the property. Natural communities on the site are identified, rare and special status species that may be affected by the proposed development are discussed, and lists of plant and animal species that were found or are expected on the property are provided. This report provides agencies and decision makers with information regarding biological resources and assesses potential impacts from proposed development. An evaluation of the effect of the proposed project on biological resources is included, and mitigation measures designed to reduce project impacts to less than significant levels are provided.

### 1.1 Project Location and Description

The subject property is 40.36 acres located in the northeastern corner of the City of Paso Robles, San Luis Obispo County, California (Appendix B, Figure 1). The property is situated on the east side of Airport Road, north of Highway 46 East, in the Paso Robles United States Geological Survey (USGS) 7.5 minute quadrangle (Appendix B, Figure 2). Approximate coordinates for the center of the property are N35° 39' 5" / W120° 38' 13". Elevation varies from 720 to 825 feet above sea level.

The proposed project is development of a hotel complex consisting of two 50-room hotels, a 16-room boutique hotel, 175 casitas, restaurant, spa, recreation area with pool, office management space, and a conference/wedding space.

The property is composed of two existing parcels (APN 025-436-029 and -030) of ±20 acres each that are zoned parks and open space (Table 1). The project is proposed in 9 phases (Table 2).

Beijo Way, at the north end of the property, is the main entrance to the development from Airport Road. It provides direct access to Phases 1, 2, 3, 4, and 5. A secondary access from Airport Road is located in the southern half of the property, accessing Phases 6, 7, and 9. Site improvements include connecting to the public sewer system and widening Airport Road with a turn lane and north-bound acceleration lane.

Drainage off the site would be collected in existing and proposed lakes and bioswales where sediments and other contaminants would be settled and filtered prior to release through storm drains into Huerhuero Creek.

TABLE 1. PARCEL DATA. Subdivision specifications for APN 025-436-029 and -030. Proposed parcel numbers correspond to the proposed project phases (refer to Table 2 below, and Site and Phasing Plan in Appendix A).

<b>Existing Parcel</b>	<b>Proposed Parcel</b>	<b>Existing Use</b>	<b>Habitats</b>
Parcel 2 20.16 ac 025-436-030	Parcel 1	Rangeland Existing metal building and roads	Grassland, Wetland, Oak woodland, Anthropogenic
Parcel 2 20.16 ac 025-436-030	Parcel 2	Rangeland	Grassland, Oak woodland
Parcel 2 20.16 ac 025-436-030	Parcel 3	Rangeland	Grassland
Parcel 1 20.17 ac 025-436-029	Parcel 4	Rangeland	Grassland
Parcel 1 20.17 ac 025-436-029	Parcel 5	Rangeland	Grassland
Parcel 1 20.17 ac 025-436-029	Parcel 6	Rangeland	Grassland, Seasonal pond, Oak woodland
Parcel 1 20.17 ac 025-436-029	Parcel 7	Rangeland	Grassland Seasonal pond Oak woodland
Parcel 1 20.17 ac 025-436-029	Parcel 8	Rangeland	Grassland
Parcel 1 20.17 ac 025-436-029	Parcel 9	Rangeland	Grassland Irrigated pasture Oak woodland Anthropogenic



TABLE 2. PHASING CONCEPT. Conceptual plan data is provided for each of the nine proposed project phases, including proposed development, number of units, and total area.

Phase	Proposed Development	# of Units	Total Area (sq. ft.)
Phase 1	Larger Casitas	3	1875
Phase 1	Smaller Casitas	13	4212
Phase 1	Recreation Area with Pool and Pool House	0	5000
Phase 1	Conversion of metal bldg to office, housekeeping, conference/wedding facility	0	5000
Phase 1	Conversion of garage and existing residence into casitas	3	1195
	Site Improvements		
Phase 1	<ul style="list-style-type: none"> <li>• Temporary septic in hotel parking lot (Parcel 2)</li> <li>• Right-hand turn pocket on Airport Road</li> <li>• North-bound acceleration lane</li> <li>• Street improvements on public road on-site</li> </ul>		
Phase 2	Larger Casitas	16	10,000
Phase 2	Smaller Casitas	70	22,680
Phase 2	Pool	0	Not available
	Site Improvements		
Phase 2	<ul style="list-style-type: none"> <li>• Connect to public sewer</li> </ul>		
Phase 3	Spa	0	2990
	Site Improvements		
Phase 3	<ul style="list-style-type: none"> <li>• Abandon existing septic system and leach fields</li> </ul>		
Phase 4	Restaurant	0	5700
	Site Improvements		
Phase 4	<ul style="list-style-type: none"> <li>• Widen Airport Road</li> </ul>		
Phase 5	Hotel	50 Rooms	25,000
Phase 5	Pool	0	Not available
Phase 6	Boutique Hotel	16 Rooms	8000
Phase 7	Smaller Casitas	36	11,664
Phase 7	Larger Casitas	10	6250
Phase 7	Pool area and hot tub	0	Not available
Phase 8	Hotel	50 Rooms	25,000
Phase 9	Smaller Casitas	24	7776
Phase 9	Lake	0	Not available

**1.2 Responsible Parties**

TABLE 3. RESPONSIBLE PARTIES. Contact information for the applicant, agent, biological consultant, lead agency, and architect are provided.

<b>Applicant</b>	
Jerry and Kathie Handley P.O. Box 1011 Paso Robles, CA 93447	
<b>Agent</b>	<b>Engineer</b>
Margaret Holstine 1225 Spanish Camp Road Paso Robles, CA 93446 805-550-3552	North Coast Engineering 725 Creston Road, Suite B Paso Robles, CA 93446 805-239-3127  Contact: Larry Werner
<b>Biological Consultant</b>	<b>Lead Agency</b>
Althouse and Meade, Inc. 1875 Wellsona Road Paso Robles, CA 93446 805-467-1041  Contact: Daniel E. Meade	City of Paso Robles 1000 Spring Street Paso Robles, CA 93446 805-227-7276

## 2.0 Methods

The subject property was surveyed for biological resources on November 17, 2005 and January 5, February 10 and 27, March 30, May 2 and 31, and July 31, 2006, and August 29, 2007 (Table 3). Field work was conducted by biologists Daniel E. Meade, Ph.D., Jason Dart, and Meg Perry during daylight hours between 8:00 a.m. and 5:00 p.m. The site was surveyed on foot and photographed. Surveys were conducted throughout the property to compile species lists and search for rare plants and animals. Habitat types on the property were inspected, described, and mapped. All plant and animal species observed on the site were identified and recorded. Wildlife observations, including animal presence, nests, tracks, and sign, were documented. Birds were identified by sight (using 10 power binoculars) and vocalizations. Aquatic organisms were sampled using fine mesh dip nets. Plants were identified through field observations and laboratory analysis of collected material.

TABLE 3. BIOLOGICAL SURVEYS. Survey dates, times, weather observations, and biologist.

Survey Date	Start Time Stop Time	Temp.	Wind	Weather Observations	Biologist
11/17/05	8:00 am - 11:00 am	65 °F	0-5 mph	Sunny	J. Dart
1/5/06	3:30 pm - 5:00 pm	62 °F	0-5 mph	Sunny with high clouds	J. Dart
2/10/06	3:00 pm - 4:30 pm	60 °F	0-5 mph	Mostly sunny, few clouds	J. Dart
2/27/06	2:00 pm - 3:30 pm	60 °F	10-15 mph	Storm clouds, light rain	D. Meade J. Dart
3/30/06	11:00 am - 2:00 pm	58 °F	10-15 mph	Windy and stormy	J. Dart
5/2/06	8:00 am - 9:30 am	57 °F	0-5 mph	Sunny	J. Dart
5/31/06	1:00 pm - 2:00 pm	78 °F	5-10 mph	Sunny and warm	J. Dart M. Perry
7/31/06	10:30 am - 11:30 am	88 °F	0-5 mph	Sunny and hot	J. Dart
8/29/07	11:30 am - 1:00 pm	95 °F	0 mph	Sunny and hot	D. Meade

We conducted a search of the California Natural Diversity Database (CNDDDB December 31, 2007 data) and the California Native Plant Society (CNPS) On-line Inventory of Rare and Endangered Plants of California for special status species that could occur within at least five miles of the project site. The search area included the Paso Robles, Estrella, Templeton, and Creston quadrangles (7.5 minute USGS).

Additional special status species research consisted of reviewing previous biological reports for the area and searching on-line museum and herbarium specimen records for locality data within San Luis Obispo County. We reviewed online databases of specimen records maintained by the Museum of Vertebrate Zoology (MVZ) at the University of California, Berkeley, and the Consortium of California Herbaria. Additional special status species with potential to occur on or near the subject property were added to our special status species list.

Special status species lists produced by database and literature searches were cross-referenced with the known habitat types on the property to identify all potential special status species that could occur on or near the property. Each special status species with a potential for occurrence on or near the property is individually discussed.

### **3.0 Results**

#### **3.1 Existing Conditions**

The subject property is situated on alluvial terraces on the east side of Huerhuero Creek in the northeastern corner of the City of Paso Robles. The eastern end of the property is on the terrace, and the western portion slopes down to include a small section of Huerhuero Creek, west of Airport Road (refer to aerial photograph in Appendix B, Figure 4). Most of the property is grazed annual grassland habitat (Appendix C, Photo 1); cattle are kept on portions of the property year-round. One existing residence with several detached outbuildings is located on the property. Numerous large valley and blue oaks are scattered in the grassland habitat.

Two drainages pass through the property, each with a man-made seasonal stock pond actively used by cattle. The main drainage flows northeast through the center of the property (Appendix C, Photo 2). Surface flows are seasonal, but standing water may be present into late spring or early summer. Pond 2, the smaller of two stock ponds on the property, is located in this drainage, east of the existing residence (Appendix C, Photo 3). An earthen dam occasionally breaches, spilling water through an irrigated pasture to a storm drain at Airport Road. The main drainage is shaded by a blue oak woodland canopy covering the north-facing slope and drainage bottom. The entire length of the drainage is about half a mile, extending east of the property into adjacent rangeland.

A smaller drainage meanders through the adjacent RV park and enters the property from the south, terminating at Pond 1 (Appendix C, Photos 4, 5). The riparian canopy is open, consisting of blue and valley oaks. Pond 1 is the larger of the two ponds on the property, located south of the existing residence. A large cottonwood tree is in the center of the pond. The pond was two to three feet deep in February 2006, with very turbid water from persistent cattle use. Late season rains in March 2006 brought the pond to full capacity at over five feet deep. Maps included in Appendix A show the location of existing ponds on the property.

Several small grassy swales are on the property that drain storm run-off from the flat terraces into the main drainages. Wetland conditions are present at the head of a swale draining north through the northeast corner of the property.

The main entrance road to the development and a large building pad were graded during the winter of 2005-06 (Appendix C, Photos 6, 7). Grading of the main access road that passes along the boundary of Phase 1 was permitted by the City of Paso Robles prior to submittal of the current project. Construction of the main access road and building pads was conducted prior to initiation of our biological surveys in November 2005. Therefore the scope of this report does not include approximately 4 acres of grassland habitat that was removed without documentation of existing conditions and rare species potential.

### **3.2 Soils**

The soils map in the United States Department of Agriculture (USDA) Soil Survey of San Luis Obispo County, California, Paso Robles Area (1984) delineates four soil map units on the property (Appendix B, Figure 3): Arbuckle-Positas complex with 9 to 15 percent slopes (102), Arbuckle-Positas complex with 30 to 50 percent slopes (104), Arbuckle-San Ysidro complex with 2 to 9 percent slopes (106), and Xerofluvents-Riverwash association.

**The Arbuckle-Positas complex with 9 to 15 percent slopes (102)** consists of approximately 40 percent Arbuckle fine sandy loam and 30 percent Positas coarse sandy loam. Both are very deep, well drained soils formed in alluvium from mixed rocks. The Arbuckle soil has moderately slow permeability and moderate to high available water capacity. The Positas soil has very slow permeability and moderate to high available water capacity. Also included in this map unit are areas of Greenfield fine sandy loam, Copley clay, and Hanford fine sandy loam. This map unit occurs on flat areas on the west side of the property.

**The Arbuckle-Positas complex with 30 to 50 percent slopes (104)** consists of approximately 40 percent Arbuckle fine sandy loam and 30 percent Positas coarse sandy loam. These soil phases are very similar to Arbuckle-Positas soils on 9 to 15 percent slopes; they are very deep, well drained, and have a moderate to high available water capacity. Included in this complex in mapping are 15 percent Shimmon loam on north slopes, 10 percent soil similar to Positas coarse sandy loam except with a very gravelly sandy clay subsoil, and 5 percent small areas of Ayar silty clay, Balcom loam, Greenfield fine sandy loam, Linne Shaly clay loam, Nacimiento silty clay loam, and Badland. This map unit, with steeper slopes, encompasses the west facing slope in the north-half of the property, as well as the oak woodland drainage in the center of the property.

**The Arbuckle-San Ysidro complex, with 2 to 9 percent slopes (106)** consists of approximately 40 percent Arbuckle fine sandy loam and 20 percent San Ysidro loam. The Arbuckle soil is a very deep, well drained soil formed in alluvium from mixed rocks. It has a moderately slow permeability and a moderate to high available water capacity. The San Ysidro soil is a very deep soil also formed in alluvium. It is moderately well drained, with very slow permeability and moderate to high available water capacity. Also included in this map unit are areas of Greenfield fine sandy loam, Hanford fine sandy loam, Copley clay, Rincon clay loam, and Ryer clay loam. The Arbuckle-San Ysidro complex is found on the terrace at the northeast end of the property, supporting annual grassland habitat.

**Xerofluvents-Riverwash association (212)** consists of soils and barren areas on flood plains. The complex consists of approximately 50 percent xerofluvents and 30 percent riverwash. Xerofluvents occur on the flood plains and generally flood twice every four years. Riverwash is on barren areas in and along stream channels, flooding annually. Included in this map unit are areas of Elder loam, Metz loamy sand, and Tujunga fine sand. Xerofluvents-riverwash association occurs in Huerhuero Creek. The northwest property corner includes a small portion of this soil map unit.

### 3.3 Habitat Types

Seven habitat types occur on the property: irrigated pasture, anthropogenic, annual grassland, blue oak woodland, seasonal pond, wetland, and riparian.

#### 3.3.1 Irrigated pasture

West of the existing residence is approximately 0.9 acres of irrigated pasture. The dominant grass species is Bermuda grass (*Cynodon dactylon*). Curly dock (*Rumex crispus*), dandelion (*Taraxacum officinale*), and clover (*Trifolium* sp.) are also present. The pasture is heavily grazed; grass height rarely exceeds four inches. No rare plants or animals are expected to occur in this habitat type.

#### 3.3.2 Anthropogenic

The residential area surrounding the existing home is landscaped with ornamental species and a lawn. A gravel driveway and detached sheds associated with the livestock operation are also present. Plants growing in this area are weedy species typical of urban and rural areas. This habitat type, covering approximately 0.7 acres of the property, is described as an anthropogenic habitat (a habitat shaped by human use). Also included in the anthropogenic habitat is the main project entrance road from Airport Road, and development that occurred in 2006 and 2007. A total of ±5.4 acres of anthropogenic habitat is currently on the property.

#### 3.3.3 Annual grassland

Annual grassland habitat occurs on ±26.5 acres of the property, encompassing flat terraces and moderate to steep slopes. The annual grassland is composed of non-native annual grass species, including soft chess brome (*Bromus hordeaceus*), wild oats (*Avena fatua*, *A. barbata*), foxtail barley (*Hordeum murinum*), annual fescue (*Vulpia myuros*), and nit grass (*Gastridium ventricosum*). Purple needlegrass (*Nassella pulchra*), a native bunchgrass, is present on steep slopes that have not been heavily grazed by cattle. Medusa-head (*Taeniatherum caput-medusae*) is an extremely invasive annual grass that occurs in small areas of the grassland habitat. Its long awns make it unpalatable by cattle. Typical forbs in the grassland habitat include vinegar weed (*Trichostema lanceolatum*), red maids (*Calandrinia ciliata*), dove weed (*Eremocarpus setigerus*), and Salinas tarplant (*Hemizonia pentactis*).

#### 3.3.4 Blue oak woodland

Blue oak (*Quercus douglasii*) woodland habitat occurs in the main drainage passing through the center of the property. The oaks are mostly on the north-facing slope and drainage bottom, with some trees occurring up the south-facing slope. The woodland canopy is contiguous, shading the creek and understory vegetation. The understory is composed entirely of grasses and herbaceous forbs such as melic grass (*Melica imperfecta*), elegant clarkia (*Clarkia unguiculata*), phlox-leaved bedstraw (*Galium andrewsii*), and golden stars (*Bloomeria crocea*). The shrub layer has been removed by heavy grazing pressure. The trees are similarly aged with few seedlings or younger trees. A small area of blue oak woodland is present in a swale originating in the far northeastern property corner, and in an separate swale at the southwest corner of the property. Oak trees on the property appear healthy, and provide foraging and nesting habitat for a

variety of wildlife. Blue oak woodland comprises approximately six acres of the property.

### 3.3.5 Seasonal pond

Two man-made seasonal stock ponds are on the property. Both ponds are located in drainages and are created by earthen dams. Vegetation along the margins of the ponds is denuded by cattle use, and water quality is generally poor due to high turbidity and cattle waste. The ponds are appropriate for use by breeding Western spadefoot toad (*Spea hammondi*), a California Special Concern species that is known from numerous occurrences in the vicinity of the property. The ponds may be appropriate habitat for fairy shrimp. Vernal pool fairy shrimp (*Branchinecta lynchi*) is a federally listed threatened species that occurs in two vernal pools less than half a mile southeast of the property. Reconnaissance investigations of the aquatic habitats were conducted in February, March, and May 2006. No fairy shrimp or spadefoot toads were observed.

Pond 1 is a large seasonal pond located south of the existing residence in a small seasonal drainage and tributary to Huerhuero Creek. The pond is mapped on the proposed site plan at full capacity, approximately 235 feet in length and 95 feet wide. After late season rainfall in March 2006, the pond did reach full capacity. A large Fremont cottonwood (*Populus fremontii*) is located in the center of the pond at the north end, and a valley oak (*Quercus lobata*) is on the west bank. Valley and blue oaks (*Quercus douglasii*) line the drainage upstream from the pond. Pacific chorus frog (*Pseudacris regilla*) and California toad (*Bufo boreas halophilus*) tadpoles were identified in Pond 1, as well as several adult bullfrogs (*Rana catesbeiana*).

Pond 2 is a smaller pond, approximately 60 feet by 20 feet at full capacity, located in the main drainage east of the existing residence. It is shaded by a canopy of blue oaks (*Quercus douglasii*). A spillway consisting of terra cotta pipes is in disrepair and flood flows have scoured around the broken pipes. Pond 2 filled after the large storm events in early January 2006, dried up by early February, and filled again in March. Pacific chorus frog and California toad tadpoles were identified in Pond 2.

Vernal pools were not observed on the property during our surveys.

### 3.3.6 Wetland

Wetland conditions are present in the bottom of the main drainage, possibly in the southern drainage, at the upper end of a small drainage at the northeast property corner, and in the seasonal ponds. The middle section of the main drainage on the property has a low-gradient and generally holds small puddles of standing water until late spring. Wetland vegetation is severely damaged by cattle, but is composed of annual beardgrass (*Polypogon monspeliensis*), Mexican rush (*Juncus mexicanus*), spikerush (*Eleocharis macrostachya*, *E. parishii*), toad rush (*Juncus bufonius*), loosestrife (*Lythrum hyssopifolium*), water speedwell (*Veronica anagallis-aquatica*), and duckweed (*Lemna* sp.). The seasonal ponds, typically denuded of vegetation, have swamp grass (*Crypsis schoenoides*), an obligate wetland indicator, growing on the dried mud before winter rains filled the ponds.

Constituent wetland plant species in the wetland at the northeastern corner of the property include toadrush (*Juncus bufonius*), Mexican rush (*Juncus mexicanus*), and water

chickweed (*Montia fontana*). A formal wetland delineation was not conducted as part of this study.

### 3.3.7 Riparian

Riparian vegetation on the property is very limited. The drainages are shaded by oak canopy with a few scattered willows in the main drainage. The property includes a small portion of the eastern shoreline of Huerhuero Creek, on the west side of Airport Road. Fremont cottonwood (*Populus fremontii*) trees are present, with an herbaceous assemblage of Mugwort (*Artemisia douglasiana*), California rose (*Rosa californica*), and other weedy species.

### 3.4 Plant List

The 132 species of plants identified on the subject property consist of 82 native species, and 50 introduced species (Table 4). No special status species were identified during floristic surveys conducted from November 2005 through July 2006. A complete list of landscape vegetation was not compiled.

TABLE 4. PLANT LIST. A floristic survey identified 132 species of plants on the property. No special status species were mapped on the property.

Scientific Name	Special Status	Origin	Common Name
<b>Trees - 10 Species</b>			
<i>Ailanthus altissima</i>	None	Introduced	Tree of heaven
<i>Juniperus</i> sp.	None	Planted	Juniper
<i>Pinus radiata</i>	None	Planted	Monterey pine
<i>Populus fremontii</i> ssp. <i>fremontii</i>	None	Native	Fremont cottonwood
<i>Quercus douglasii</i>	None	Native	Blue oak
<i>Quercus lobata</i>	None	Native	Valley Oak
<i>Robinia</i> sp.	None	Planted	Locust tree
<i>Salix laevigata</i>	None	Native	Red willow
<i>Salix lasiolepis</i>	None	Native	Willow
<i>Ulmus</i> sp.	None	Planted	Elm
<b>Shrubs - 4 Species</b>			
<i>Baccharis pilularis</i>	None	Native	Coyote brush
<i>Baccharis salicifolius</i>	None	Native	Mule fat
<i>Lonicera</i> sp.	None	Native	Honeysuckle
<i>Rosa californica</i>	None	Native	California Rose
<b>Herbs - 100 Species</b>			
<i>Achyrachaena mollis</i>	None	Native	Blow wives



Scientific Name	Special Status	Origin	Common Name
<i>Agoseris heterophylla</i>	None	Native	Annual mountain dandelion
<i>Ambrosia psilostachya</i>	None	Native	Western ragweed
<i>Amsinckia menziesii</i>	None	Native	Rancher's fireweed
<i>Anthriscus caucalis</i>	None	Introduced	Bur-chevil
<i>Artemisia douglasiana</i>	None	Native	Mugwort
<i>Asclepias eriocarpa</i>	None	Native	Indian milkweed
<i>Asclepias fascicularis</i>	None	Native	Narrow-leaved milkweed
<i>Bloomeria crocea</i>	None	Native	Golden stars
<i>Brassica nigra</i>	None	Introduced	Black mustard
<i>Calandrinia ciliata</i>	None	Native	Red maids
<i>Capsella bursa-pastoris</i>	None	Introduced	Shepherd's purse
<i>Cardamine californica</i>	None	Native	Milk maids
<i>Castilleja attenuata</i>	None	Native	Slender owl's clover
<i>Centaurea melitensis</i>	None	Introduced	Tocalote
<i>Centaurea solstitialis</i>	None	Introduced	Yellow star thistle
<i>Centaurium davyi</i>	None	Native	Centaury
<i>Cerastium glomeratum</i>	None	Introduced	Mouse-ear chickweed
<i>Chamomilla suaveolens</i>	None	Introduced	Pineapple weed
<i>Chenopodium sp.</i>	None	Introduced	Pigweed
<i>Chlorogalum pomeridianum</i> var. <i>pomeridianum</i>	None	Native	Amole lily
<i>Chorizanthe stericoides</i>	None	Native	Turkish rugging
<i>Cirsium vulgare</i>	None	Introduced	Bull thistle
<i>Clarkia purpurea</i> ssp. <i>purpurea</i>	None	Native	Wine cups
<i>Clarkia speciosa</i> ssp. <i>speciosa</i>	None	Native	Clarkia
<i>Clarkia unguiculata</i>	None	Native	Elegant clarkia
<i>Crassula tillea</i>	None	Introduced	Moss pygmyweed
<i>Dichelostemma capitatum</i>	None	Native	Bluedicks
<i>Eleocharis macrostachya</i>	None	Native	Common spikerush
<i>Eleocharis parishii</i>	None	Native	Parish's spikerush
<i>Epilobium sp.</i>	None	Native	Willow-herb
<i>Eremocarpus setigerus</i>	None	Native	Turkey-mullein, dove weed
<i>Erigeron foliosus</i> var. <i>foliosus</i>	None	Native	Leafy daisy
<i>Eriogonum nudum</i>	None	Native	Naked buckwheat
<i>Erodium botrys</i>	None	Introduced	Storksbill filaree

Scientific Name	Special Status	Origin	Common Name
<i>Erodium cicutarium</i>	None	Introduced	Redstem filaree
<i>Erodium moschatum</i>	None	Introduced	Greenstem filaree
<i>Eryngium vaseyi</i> var. <i>vaseyi</i>	None	Native	Coyote thistle
<i>Eschscholzia californica</i>	None	Native	California poppy
<i>Filago gallica</i>	None	Introduced	Herba impia
<i>Galium andrewsii</i>	None	Native	Phlox-leaved bedstraw
<i>Galium aparine</i>	None	Native	Goose grass
<i>Gilia clivorum</i>	None	Native	Blue-spot gilia
<i>Gnaphalium palustre</i>	None	Native	Marsh cudweed
<i>Gnaphalium purpureum</i>	None	Native	Everlasting
<i>Hemizonia fitchii</i>	None	Native	Fitch's tarplant
<i>Hemizonia pentactis</i>	None	Native	Salinas tarplant
<i>Hypochaeris glabra</i>	None	Introduced	Smooth cat's-ear
<i>Juncus bufonius</i>	None	Native	Toadrush
<i>Juncus mexicanus</i>	None	Native	Mexican rush
<i>Lactuca serriola</i>	None	Introduced	Prickly lettuce
<i>Lagophylla ramosissima</i> ssp. <i>ramosissima</i>	None	Native	Slender hareleaf
<i>Lemna</i> sp.	None	Native	Duckweed
<i>Lepidium nitidum</i>	None	Native	Pepperwort
<i>Lomatium caruifolium</i>	None	Native	Alkali parsnip
<i>Lotus humistratus</i>	None	Native	Bird-foot lotus, hill lotus
<i>Lotus purshianus</i> var. <i>purshianus</i>	None	Native	Spanish-clover
<i>Lupinus bicolor</i>	None	Native	Miniature lupine
<i>Lupinus microcarpus</i>	None	Native	Chick lupine
<i>Lupinus succulentus</i>	None	Native	Arroyo lupine
<i>Lythrum hyssopifolium</i>	None	Introduced	Loosestrife
<i>Malva nicaeensis</i>	None	Introduced	Bull mallow
<i>Meconella linearis</i>	None	Native	Meconella
<i>Medicago polymorpha</i>	None	Introduced	Common bur-clover
<i>Micropus californicus</i>	None	Native	Slender cottonweed
<i>Montia fontana</i>	None	Native	Water chickweed
<i>Navarretia atractyloides</i>	None	Native	Navarretia
<i>Navarretia pubescens</i>	None	Native	Pubescent navarretia
<i>Nicotiana acuminata</i> var. <i>multiflora</i>	None	Introduced	Tobacco

Scientific Name	Special Status	Origin	Common Name
<i>Phoradendron macrophyllum</i>	None	Native	Big leaf mistletoe
<i>Phoradendron villosum</i>	None	Native	Oak mistletoe
<i>Plagiobothrys bracteatus</i>	None	Native	Popcorn flower
<i>Plagiobothrys nothofulvus</i>	None	Native	Popcorn flower
<i>Polygonum arenastrum</i>	None	Introduced	Common knotweed
<i>Ranunculus californicus</i>	None	Native	California buttercup
<i>Ranunculus hebecarpus</i>	None	Native	Annual buttercup
<i>Rumex crispus</i>	None	Introduced	Curly dock
<i>Sanicula bipinnata</i>	None	Native	Poison sanicle
<i>Sanicula crassicaulis</i>	None	Native	Sanicle
<i>Selaginella bigelovii</i>	None	Native	Spike-moss
<i>Senecio vulgaris</i>	None	Introduced	Common groundsel
<i>Silene gallica</i>	None	Introduced	Windmill pink
<i>Sonchus oleraceus</i>	None	Introduced	Common sow thistle
<i>Spergula arvensis</i>	None	Introduced	Stickwort
<i>Spergularia rubra</i>	None	Introduced	Sand spurrey
<i>Stellaria media</i>	None	Native	Chickweed
<i>Taraxacum officinale</i>	None	Introduced	Dandelion
<i>Thysanocarpus curvipes</i>	None	Native	Lace pod
<i>Trichostema lanceolatum</i>	None	Native	Vinegar weed
<i>Trifolium albopurpureum</i>	None	Native	Dove clover
<i>Trifolium hirtum</i>	None	Native	Rose clover
<i>Trifolium wormskioldii</i>	None	Native	Marsh clover
<i>Trifolium sp.</i>	None	Native	Unidentified clover
<i>Trifolium sp.</i>	None	Native	Unidentified clover
<i>Tropidocarpum gracile</i>	None	Native	Dobiepod
<i>Verbena lasiostachys</i>	None	Native	Verbena
<i>Veronica anagallis-aquatica</i>	None	Native	Water speedwell
<i>Veronica persica</i>	None	Introduced	Persian speedwell
<i>Vicia villosa</i>	None	Introduced	Winter vetch
<i>Viola pedunculata</i>	None	Native	Johnny jump-up
<b>Grasses - 18 Species</b>			
<i>Avena barbata</i>	None	Introduced	Slender wild oat
<i>Avena fatua</i>	None	Introduced	Wild oat

Scientific Name	Special Status	Origin	Common Name
<i>Bromus diandrus</i>	None	Introduced	Ripgut brome
<i>Bromus hordeaceus</i>	None	Introduced	Soft chess brome
<i>Bromus madritensis ssp. rubens</i>	None	Introduced	Redtop brome
<i>Bromus sp.</i>	None	Introduced	Brome
<i>Crypsis schoenoides</i>	None	Introduced	Swamp grass
<i>Cynodon dactylon</i>	None	Introduced	Bermuda grass
<i>Distichlis spicata</i>	None	Native	Salt grass
<i>Gastridium ventricosum</i>	None	Introduced	Nit grass
<i>Hordeum murinum</i>	None	Introduced	Foxtail barley
<i>Lolium perenne</i>	None	Introduced	Italian ryegrass
<i>Melica sp.</i>	None	Native	Melic grass
<i>Nassella pulchra</i>	None	Native	Purple needlegrass
<i>Poa annua</i>	None	Introduced	Annual bluegrass
<i>Polypogon monspeliensis</i>	None	Introduced	Annual beard grass
<i>Taeniatherum caput-medusae</i>	None	Introduced	Medusa-head
<i>Vulpia myuros</i>	None	Introduced	Annual fescue

### 3.5 Wildlife List

Many wildlife species commonly found in cismontane habitats of California's central coast are expected to occur on or near the project site. The grassland habitat provides foraging habitat for raptors and predators, including red-tail hawk, red-shouldered hawk, American kestrel, fox, coyote, badger, and bobcat. Reptiles and amphibians are present in all habitats on the property, and include gopher snake, king snake, Western fence lizard, Pacific chorus frog, and black-bellied slender salamander. Raccoon, opossum, and striped skunk are likely to forage in riparian and woodland areas, and mule deer tracks are common on roads and trails throughout the property.

Nesting birds occur in the oaks and grassland habitats on the property. Raptor nests were not observed; however the large oaks on the property are appropriate for future nesting sites. Nesting birds are protected from disturbance by The Migratory Bird Treaty Act of 1918, as regulated by the United States Fish and Wildlife Service.

The 97 animal species that were observed or could occur on or near the property include 4 crustaceans, 6 amphibians, 9 reptiles, 57 birds, and 21 mammals (Table 5).

TABLE 5. WILDLIFE LIST. The Special Status column contains the listing status of the organism under the Federal Endangered Species Act, the State Endangered Species Act, or by the CDFG (see Appendix D for status definitions). Species observed on the property during our surveys are designated with a check mark (✓) in the fourth column.

Common Name	Scientific Name	Special Status	Found on the Property	Habitat Type
<b>Crustaceans - 2 species</b>				
Vernal Pool Fairy Shrimp	<i>Branchinecta lynchi</i>	FT <sup>1</sup>		Vernal pools, seasonal ponds
Water Flea	<i>Daphnia</i> sp.	None	✓	Vernal pools, seasonal ponds
California Linderiella	<i>Linderiella occidentalis</i>	Sensitive		Vernal pools, seasonal ponds
Seed Shrimp	Class Ostracoda	None	✓	Vernal pools, seasonal ponds
<b>Amphibians - 6 species</b>				
Black-bellied Slender Salamander	<i>Batrachoseps nigriventris</i>	None	✓	Oak woodlands, moist areas
California Toad	<i>Bufo boreas halophilus</i>	None		Grassland, woodland
Monterey Ensatina	<i>Ensatina eschscholzi</i>	None		Moist habitats
Pacific Chorus Frog	<i>Pseudacris regilla</i>	None	✓	Many habitats near water
Bullfrog	<i>Rana catesbeiana</i>	None	✓	Perennial streams, ponds
Western Spadefoot Toad	<i>Spea hammondi</i>	CSC <sup>2</sup>		Grasslands with ephemeral pools for breeding
<b>Reptiles - 9 species</b>				
Southwestern Pond Turtle	<i>Actinemys marmorata pallida</i>	CSC		Ponds, lakes, streams
Northern Pacific Rattlesnake	<i>Crotalus oreganus oreganus</i>	None		Dry, rocky habitats
Monterey Kingneck Snake	<i>Diadophis punctatus vandenburgii</i>	None		Woodlands, grasslands
California Alligator Lizard	<i>Elgaria multicarinata multicarinata</i>	None		Open grassland, woodland, chaparral
California Kingsnake	<i>Lampropeltis getula californiae</i>	None		Woodland, grassland, streams
Pacific Gopher Snake	<i>Pituophis catenifer catenifer</i>	None		Woodland, grassland
Western Fence Lizard	<i>Sceloporus occidentalis</i>	None	✓	Wide range
Valley Garter Snake	<i>Thamnophis sirtalis fitchii</i>	None		Many habitats near water

<sup>1</sup> FT = Federally Threatened

<sup>2</sup> CSC = California Special Concern species

Common Name	Scientific Name	Special Status	Found on the Property	Habitat Type
Side-blotched Lizard	<i>Uta stansburiana</i>	None	✓	Dry habitats
<b>Birds - 57 species</b>				
Red-winged Blackbird	<i>Agelaius phoeniceus</i>	None		Marshes, fields
Western Scrub Jay	<i>Aphelocoma californica</i>	None	✓	Oak and riparian woodlands
Great Egret	<i>Ardea alba</i>	None		Water habitats, grasslands
Great Blue Heron	<i>Ardea herodias</i>	None		Water habitats
Cedar Waxwing	<i>Bombycella cedrorum</i>	None	✓	Open habit
Great Horned Owl	<i>Bubo virginianus</i>	None		Varied habitats
Red-tailed Hawk	<i>Buteo jamaicensis</i>	None	✓	Open, semi-open country
Red-shouldered Hawk	<i>Buteo lineatus</i>	None		Oak and riparian woodlands
California Quail	<i>Callipepla californica</i>	None	✓	Oak, riparian woodlands
Anna's Hummingbird	<i>Calypte anna</i>	None	✓	Oak, riparian woodland, scrub
Lesser Goldfinch	<i>Carduelis psaltria</i>	None		Riparian, oak woodlands
American Goldfinch	<i>Carduelis tristis</i>	None		Weedy fields, woodlands
House Finch	<i>Carpodacus mexicanus</i>	None	✓	Wide habitat range
Turkey Vulture	<i>Cathartes aura</i>	None		Open country, oak woodlands
Killdeer	<i>Charadrius vociferous</i>	None	✓	Mud flats, stream banks
Lark Sparrow	<i>Chondestes grammacus</i>	None	✓	Grasslands, edge habitats
Red-shafted Flicker	<i>Colaptes auratus</i>	None	✓	Woodlands
Rock Dove	<i>Columba livia</i>	None		Urban areas
Western Wood Pewee	<i>Contopus sordidulus</i>	None		Riparian woodlands
American Crow	<i>Corvus brachyrhynchos</i>	None		Open oak, riparian woodland,
Yellow-rumped Warbler	<i>Dendroica coronata</i>	None	✓	Riparian, oak woodlands
Townsend's Warbler	<i>Dendroica townsendii</i>	None		Riparian, oak woodlands
Pacific-slope Flycatcher	<i>Empidonax difficilis</i>	None		Riparian, oak woodlands
California Horned Lark	<i>Eremophila alpestris actia</i>	CSC		Grassland, oak savanna
Brewer's Blackbird	<i>Euphagus cyanocephalus</i>	None	✓	Open habitats
American Kestrel	<i>Falco sparverius</i>	None		Open, semi-open country
Barn Swallow	<i>Hirundo rustica</i>	None		Open country, farmyards
Dark-eyed Junco	<i>Junco hyemalis</i>	None		Oak woodlands

Common Name	Scientific Name	Special Status	Found on the Property	Habitat Type
Acorn Woodpecker	<i>Melanerpes formicivorus</i>	None	✓	Oak woodlands
Ash-throated Flycatcher	<i>Myiarchus cinerascens</i>	None		Open areas near oaks
Western Screech Owl	<i>Otus kennicottii</i>	None		Oak woodlands
Oak Titmouse	<i>Parus inornatus</i>	None	✓	Woodland, riparian, oak, conifer
Savannah Sparrow	<i>Passerculus sandwichensis</i>	None		Open habitats, marshes, grasslands
House Sparrow	<i>Passer domesticus</i>	None		Urban
Cliff Swallow	<i>Petrochelidon pyrrhonota</i>	None		Urban; open areas near water
Yellow-billed Magpie	<i>Pica nuttalli</i>	None	✓	Oak savannah
Nuttall's Woodpecker	<i>Picoides nuttallii</i>	None		Oak woodland, savanna
Downy Woodpecker	<i>Picoides pubescens</i>	None	✓	Riparian, oak woodlands
California Towhee	<i>Pipilo crissalis</i>	None		Brushy habitats
Bushtit	<i>Psaltriparus minimus</i>	None		Oak, riparian, chaparral, scrub
Ruby-crowned Kinglet	<i>Regulus calendula</i>	None	✓	Oak and riparian woodlands
Black Phoebe	<i>Sayornis nigricans</i>	None	✓	Near water
Say's Phoebe	<i>Sayornis saya</i>	None	✓	Open country, grassland
Western Bluebird	<i>Sialia mexicana</i>	None	✓	Riparian woodland, ranch land
Western Meadowlark	<i>Sturnella neglecta</i>	None		Grasslands
European Starling	<i>Sturnus vulgaris</i>	None	✓	Agricultural, urban
Tree Swallow	<i>Tachycineta bicolor</i>	None		Wooded habitats, water
Violet-green Swallow	<i>Tachycineta thalassina</i>	None		Woodland habitats
Bewick's Wren	<i>Thryomanes bewickii</i>	None		Shrubby areas
House Wren	<i>Troglodytes aedon</i>	None		Shrubby areas
American Robin	<i>Turdus migratorius</i>	None		Streamsides, woodlands
Western Kingbird	<i>Tyrannus verticalis</i>	None		Open country with scattered trees, farms, roadsides
Barn Owl	<i>Tyto alba</i>	None		Agricultural, woodlands
Orange-crowned Warbler	<i>Vermivora celata</i>	None		Oak, riparian woodlands
Mourning Dove	<i>Zenaidura macroura</i>	None	✓	Open and semi-open area
Golden-crowned Sparrow	<i>Zonotrichia atricapilla</i>	None		Shrubby, weedy areas
White-crowned Sparrow	<i>Zonotrichia leucophrys</i>	None		Shrubby, weedy areas

Common Name	Scientific Name	Special Status	Found on the Property	Habitat Type
<b>Mammals - 21 species</b>				
Pallid Bat	<i>Antrozous pallidus</i>	CSC		Riparian, woodland, urban
Coyote	<i>Canis latrans</i>	None	✓	Open woodlands, brushy areas, wide ranging
Opossum	<i>Didelphis marsupialis</i>	None		Woodlands, streams
Feral Cat	<i>Felis catus</i>	None	✓	Varied
Black-tailed Jackrabbit	<i>Lepus californicus</i>	None		Grasslands
Bobcat	<i>Lynx rufus</i>	None		Chaparral and woodlands
Striped Skunk	<i>Mephitis mephitis</i>	None		Mixed woods, chaparral
California Vole	<i>Microtus californicus</i>	None		Grassland meadows
Long-tailed Weasel	<i>Mustela frenata</i>	None		Grasslands
California Myotis	<i>Myotis californicus</i>	None		Tunnels, hollow trees, crevices
Mule Deer	<i>Odocoileus hemionus</i>	None	✓	Many habitats
California Mouse	<i>Peromyscus californicus</i>	None		Oak woodland, chaparral
Deer Mouse	<i>Peromyscus maniculatus</i>	None		All dry land habitats
Raccoon	<i>Procyon lotor</i>	None		Streams, lakes, rock cliffs,
Western Harvest Mouse	<i>Reithodontomys megalotis</i>	None		Grassland, dense vegetation near water
California Ground Squirrel	<i>Spermophilus beecheyi</i>	None	✓	Grasslands
Desert Cottontail	<i>Sylvilagus audubonii</i>	None		Brushy areas
American Badger	<i>Taxidea taxus</i>	CSC		Open grasslands
Valley Pocket Gopher	<i>Thomomys bottae</i>	None	✓	Variety of habitats
Red Fox	<i>Vulpes fulva</i>	None	✓	Forest and open country
San Joaquin Kit Fox	<i>Vulpes macrotis mutica</i>	FE <sup>3</sup>		Open grasslands, scrub

<sup>3</sup>FE = Federally Endangered



### 3.6 Special Status Plants and Animals

The CNDDDB and the CNPS On-line Inventory of Rare and Endangered Plants of California contain records for 21 special status species within the designated search area. Eleven additional special status species were added to the list from our knowledge of the area (Table 6). These species are marked with an asterisk (\*). The search area included all USGS 7.5 minute quadrangles within at least five miles of the property: Paso Robles, Estrella, Templeton, and Creston. Seven special status plants and eleven special status animals have the potential to occur on the property. Special status species were not observed on the property. Sensitive natural communities are not present on the property.

#### 3.6.1 Introduction to CNPS lists

Plant species are considered rare when their distribution is confined to localized areas, when there is a threat to their habitat, when they are declining in abundance, or are threatened in a portion of their range. The listing categories range from species with a low threat (List 4) to species that are presumed extinct (List 1A). The 1067 plants of List 1B are rare throughout their range. All but a few species are endemic to California. All of them are judged to be vulnerable under present circumstances, or to have a high potential for becoming vulnerable. Most of the plants of List 1B have declined significantly over the last three centuries in California. For an explanation of the CNPS listing scheme and CNDDDB status codes, see Appendix D.

#### 3.6.2 Introduction to CNDDDB definitions

"Special plants" is a broad term used to refer to all the plant taxa inventoried by the CNDDDB, regardless of their legal or protection status. Special plants include vascular plants and high priority bryophytes (mosses, liverworts, and hornworts).

"Special Animals" is a general term that refers to all of the animal taxa inventoried by the CNDDDB, regardless of their legal or protection status. These taxa may be listed or proposed for listing under the State and/or Federal Endangered Species Acts, but they may also be species deemed biologically rare, restricted in range, declining in abundance, or otherwise vulnerable.

Animals listed as California Special Concern (CSC) species are not listed under State or Federal Endangered Species Acts, but are considered rare or declining in abundance. The Special Concern designation is intended to provide the Department of Fish and Game, consulting biologists, land planners and managers with lists of species that require special consideration during the planning process in order to avert continued population declines and potential costly listing under federal and state endangered species laws.

#### 3.6.3 Special status species list

Table 6 lists all 32 special status species known to occur within at least five miles of the project site. Federal and state status, global and state rank, CNPS listing status (plants), and the CDFG designation (animals) for each species is given. Typical blooming period, habitat preference, potential habitat on site, whether or not the species was observed on the property, and the effect of the proposed activity are also provided.

TABLE 6. SPECIAL STATUS SPECIES LIST. Thirty-two special status species were determined by our research to occur in the Paso Robles, Estrella, Templeton, and Creston quadrangles. Seven special status plants and eleven special status animals have the potential to occur on the subject property. Proposed impacts are outlined in section 5.0, and mitigation recommendations are provided in section 6.0.

Common and Scientific Names	Fed/State Status Global/State Rank CNPS List	Blooming Period	Habitat Preference	Potential Habitat?	Observed on Site?	Effects of Proposed Activity
<b>Plants</b>						
1. <b>Oval-leaved Snapdragon</b> <i>Antirrhinum ovatum</i>	None/none G3/S3.2 List 4.2	May - November	Heavy, adobe-clay soils on gentle, open slopes, also disturbed areas; 200-1000 m. s SnJV, s SCoRI	No. Recorded on the Chandler Ranch in 1991, but not reported there since. Appropriate soils not found on site.	No	Not Significant
2. <b>Salinas Milk-vetch*</b> <i>Astragalus macrodon</i>	None/none G3/S3.3 List 4.3	April - July	Eroded pale shales or sandstone, or serpentine alluvium; 300-950 m. SCoR	No. Appropriate habitat and soil type not found on site.	No	Not Significant
3. <b>Dwarf Calycadenia</b> <i>Calycadenia villosa</i>	None/none G2/S2.1 List 1B.1	May - October	Dry, rocky hills, ridges, in chaparral, woodland, meadows and seeps; <1100 m. c&s SCoRO	Yes. Appropriate gravelly substrates are present on slopes on the property.	No	Not Significant
4. <b>Obispo Indian Paintbrush</b> <i>Castilleja densiflora</i> ssp. <i>obispoensis</i>	None/none G5T2/S2.2 List 1B.2	April	Coastal grassland, <100 m. Endemic to SLO County.	Yes. This species was identified in grassland habitat along Airport Road, north of the project site in 2005.	No	Not Significant
5. <b>Lemmon's Jewelflower</b> <i>Caulanthus coulteri</i> var. <i>lemmonii</i>	None/none G4T2/S2.2 List 1B.2	March - May	Dry, exposed slopes; 80-800 m. sw SnJV, se SnFrB, e SCoRO, SCoRI	Yes. Appropriate gravelly soils are present on slopes on the property.	No	Not Significant
6. <b>Douglas' Spineflower*</b> <i>Chorizanthe douglasii</i>	None/none G3/S3.3 List 4.3	April - July	Foothill woodland, pine forest, chaparral, sandy or gravelly soils; 200-1600 m. e SCoRO, SCoRI	Yes. Appropriate soils are present on slopes on the property.	No	Not Significant
7. <b>Yellow-flowered Eriastrum</b> <i>Eriastrum luteum</i>	None/none G2/S2.2 List 1B.2	May - June	Drying slopes; <1000 m. SCoR Monterey, SLO Counties	Yes. Moderately appropriate habitat is present on site.	No	Not Significant

Common and Scientific Names	Fed/State Status Global/State Rank CNPS List	Blooming Period	Habitat Preference	Potential Habitat?	Observed on Site?	Effects of Proposed Activity
<b>Plants</b>						
8. Round-leaved Filaree <i>Erodium macrophyllum</i>	None/none G4/S2.1 List 2.1	March - May	Clay soils in cismontane woodland, valley and foothill grassland; 15-1200 m.	Yes. Appropriate grassland habitat is present.	No	Not Significant
9. Mesa Horkelia <i>Horkelia cuneata</i> ssp. <i>puberula</i>	None/none G4T2/S2.1 List 1B.1	February - September	Dry, sandy coastal chaparral; gen 70-700 m. SCoRO, SCo.	No. Appropriate habitat not found on site.	No	Not Significant
10. Kellogg's Horkelia <i>Horkelia cuneata</i> ssp. <i>sericea</i>	None/none G4T1/S1.1 List 1B.1	April - September	Old dunes, coastal sand hills; <200 m. CCo	No. Appropriate habitat not found on site.	No	Not Significant
11. Salinas Valley Goldfields* <i>Lasthenia leptalea</i>	None/none G3/S3.3 List 4.3	April	Open areas in woods, valley and foothill grassland; <500 m. Monterey & SLO	No. Appropriate habitat not found on site.	No	Not Significant
12. Jared's Peppergrass <i>Lepidium jaredii</i> ssp. <i>jaredii</i>	None/none G1T1/S1.2 List 1B.2	March - May	Alkali bottoms, slopes, washes, <500 m. SCoRI, SnJV	No. Appropriate habitat not found on site.	No	Not Significant
13. Santa Lucia Bush Mallow <i>Malacothamnus palmeri</i> var. <i>palmeri</i>	None/none G3T2Q/S2.2 List 1B.2	May - July	Chaparral, cismontane woodland, coastal scrub; 30-1100 m. s CCo, SCoRO	No. Appropriate habitat not found on site.	No	Not Significant
14. Paso Robles Navarretia* <i>Navarretia jaredii</i>	None/none G3S3.3 1-1-3 List 4	April - July	Open, grassy areas, often in clay or serpentine. 200-500 m. SCoRI, SW	No. Appropriate soils not found on site.	No	Not Significant
15. Shining Navarretia <i>Navarretia nigelliformis</i> ssp. <i>radians</i>	None/none G4T1/S1.1 List 1B.2	May - July	Vernal pools, clay depressions, open areas in mesic grasslands; 100-1000 m.	Yes. Appropriate soils are found on site	No	Not Significant
16. Rayless Ragwort <i>Senecio aphanactis</i>	None/none G3?/S1.2 List 2.2	January - April	Drying alkaline flats, chaparral, cismontane woodland, coastal scrub; <400 m. CW, SCo, ChI	No. Appropriate habitat not found on site.	No	Not Significant
17. San Bernardino Aster <i>Symphotrichum defoliatum</i>	None/none G3/S3.2 List 1B.2	July - November	Vernally mesic grasslands near ditches, streams, or disturbed areas; 2-2040 m.	No. Collection record for "North of Creston" is not positively identified.	No	Not Significant

Common and Scientific Names	Fed/State Status Global/State Rank DFG Rank	Nesting/Breeding Period	Habitat Preference	Potential Habitat?	Observed on Site?	Effect of Proposed Activity
<b>Animals</b>						
18. <b>Southwestern Pond Turtle</b> <i>Actinemys marmorata pallida</i>	None/none G3G4T2T3Q/S2 CSC	April - August	Permanent or semi-permanent streams, ponds, lakes.	Yes. Moderately appropriate seasonal habitat is present in the large stockpond.	No	Not Significant With Mitigation
19. <b>Pallid Bat</b> <i>Antrozous pallidus</i>	None/none G5/S3 CSC	Spring - Summer	Rock crevices, caves, tree hollows, mines, old buildings, and bridges.	Yes. Appropriate roosting areas are found in oak trees on the property.	No	Not Significant With Mitigation
20. <b>Golden Eagle</b> <i>Aquila chrysaetos</i>	None/none G5/S3 CSC	March 15 through August 15	Nests in large, prominent trees in valley and foothill woodland. Requires adjacent food source.	No. Appropriate trees for nesting are not present on the property. Eagles could forage on the site.	No	Not Significant
21. <b>Burrowing Owl</b> <i>Athene cunicularia</i>	None/none G4/S2 CSC	March 1 through August 31	Burrows in squirrel holes in open habitats with low vegetation.	Yes. Appropriate nesting and wintering habitat is present on the property.	No	Not Significant With Mitigation
22. <b>Vernal Pool Fairy Shrimp</b> <i>Branchinecta lynchi</i>	Threatened/none G3/S2S3 None	Rainy Season	Clear water sandstone depression pools, grassed swale, earth slump, or basalt flow depression pools.	Yes. Seasonal ponds on site may provide adequate habitat.	No	Not Significant With Mitigation
23. <b>California Horned Lark</b> <i>Eremophila alpestris actia</i>	None/none G5T3/S3 CSC	Spring - Summer	Nests on the ground in open habitats. More common in the interior.	Yes. Appropriate nesting habitat is found on the property.	No	Not Significant With Mitigation
24. <b>Loggerhead Shrike</b> <i>Lanius ludovicianus</i>	None/none G4/S4 CSC	March 1 through August 31	Open areas with appropriate perches, near shrubby vegetation for nesting.	Yes. Moderately appropriate nesting habitat is found in trees on the site.	No	Not Significant With Mitigation
25. <b>California Linderiella</b> <i>Linderiella occidentalis</i>	None/none G2G3/S2S3 None	Rainy season	Seasonal pools in unplowed grasslands with alluvial soils.	Yes. Seasonal ponds on site may provide adequate habitat.	No	Not Significant With Mitigation
26. <b>San Joaquin Pocket Mouse</b> <i>Perognathus inornatus inornatus</i>	None/none G4T2T3/S2S3 None	n/a	Grasslands and blue oak savannahs with friable soil and occasional shrubs. Also chaparral.	Yes. Appropriate habitat and soils are present on the property.	No	Not Significant With Mitigation

Common and Scientific Names	Fed/State Status Global/State Rank DFG Rank	Nesting/Breeding Period	Habitat Preference	Potential Habitat?	Observed on Site?	Effect of Proposed Activity
<b>Animals</b>						
27. Atascadero June Beetle <i>Polyphyla nubila</i>	None/none G1/S1 None	n/a	Known only from sand dunes in Atascadero and San Luis Obispo, San Luis Obispo County.	No. Appropriate habitat not found on site.	No	Not Significant
28. California Red-legged Frog <i>Rana (aurora) draytonii</i>	Threatened/none G4T2T3/S2S3 CSC	January - March	Lowlands and foothills in or near sources of deep water with dense, shrubby or emergent riparian vegetation.	No. Appropriate habitat is not found on site.	No	Not Significant
29. Western Spadefoot Toad <i>Spea hammondi</i>	None/none G3?/S3? CSC	January - August	Vernal pools in grassland and woodland habitats	Yes. Seasonal ponds on site may provide appropriate breeding habitat.	No	Not Significant
30. Lompoc Grasshopper <i>Trimerotropis occulens</i>	None/none G1G2/S1S2 None	n/a	Unknown. Known only from Santa Barbara and San Luis Obispo Counties	Unlikely. Thought to be extirpated from the area. Only source of info is a 1909 collection.	No	Not Significant
31. American Badger <i>Taxidea taxus</i>	None/none G5/S4 CSC	February - May	Needs friable soils in open ground with abundant food source such as California ground squirrels.	Yes. Grasslands on the property could be used by badgers.	No	Not Significant With Mitigation
32. San Joaquin Kit Fox <i>Vulpes macrotis mutica</i>	Endangered/Threatened G4T2T3/S2S3 None	December - July	Annual grasslands or grassy open stages with scattered shrubby vegetation. Needs loose textured sandy soil and prey base.	Yes. Appropriate denning and foraging habitat found on site.	No	Not Significant With Mitigation

Habitat characteristics are from the Jepson Manual and the CDNNB. \*not listed in the CNDDB or CNPS for the search area, but possible for the location

**Abbreviations:**

CCo: Central Coast  
 SCo: South Coast  
 SCoR: South Coast Ranges  
 SCoRO: Outer South Coast Ranges  
 SCoRI: Inner South Coast Ranges  
 SaFrB: San Francisco Bay  
 TR: Transverse Ranges  
 WTR: Western Transverse Ranges  
 SeV: Sacramento Valley  
 SaJV: San Joaquin Valley  
 SLO: San Luis Obispo  
 SB: Santa Barbara  
 SN: Sierra Nevada  
 SnJt: San Jacinto Mtns  
 Teh: Tehachapi Mtn Area  
 DMoj: Mojave Desert  
 ChI: Channel Islands  
 CW: Central West  
 SW: South West

### 3.6.4 Special status plants that could occur on the property

Appropriate habitat for seven special status plants is found on the subject property. No special status plant species were documented on site.

- A. **Dwarf Calycadenia** (*Calycadenia villosa*) is on CNPS list 1B.1. The species is known from dry, rocky hills and gravelly outwashes in Monterey, San Luis Obispo, Santa Barbara, Fresno, and Kern Counties. The CNPS considers this species to be seriously endangered. Occurrences in the CNDDDB for San Luis Obispo and Monterey Counties include the vicinity of Nacimiento and San Antonio Lakes, north to Jolon, with scattered occurrences in Parkfield to the east and in La Panza District, east of Santa Margarita. The closest reported occurrence to the project site is approximately eight miles west, near Bee Rock in the Adelaida quadrangle. Dwarf calycadenia was not found on the subject property during floristic surveys in May, June, and July 2006.
- B. **Obispo Indian paintbrush** (*Castilleja densiflora* ssp. *obispoensis*) is a CNPS List 1B.2 subspecies known only from San Luis Obispo County. It is an annual wildflower that occurs in coastal grasslands in sandy or clay soils. It is not generally known from inland areas, however there are recent reports from the Paso Robles region (CNDDDB Occurrences 36, 37, and 42). The closest reported occurrence is from 0.6 miles north of the subject property near the intersection of Airport Road and Dry Creek Road (Occ. 42). Appropriate habitat is present in the project areas for this rare subspecies. Obispo Indian paintbrush was not found on the subject property during floristic surveys in May 2006.
- C. **Lemmon's Jewel-flower** (*Caulanthus coulteri* var. *lemmonii*) is a CNPS list 1B.2 subspecies that grows on dry, exposed slopes in the Coast Ranges. Numerous old collection records are from the Paso Robles area. Moderately appropriate habitat is present on south-facing slopes on the property. Lemmon's jewel-flower was not found on the subject property during floristic surveys in May 2006.
- D. **Douglas' spineflower** (*Chorizanthe douglasii*) is a CNPS List 4.3 species known from San Benito, Monterey, and San Luis Obispo Counties. It is considered rare, but found in sufficient numbers and distributed widely enough within its known range that the threat of extinction is low at this time. This spineflower grows in gravelly or sandy substrates in the Santa Margarita area (Hoover #11352, Crampton #6978, etc.), Adelaida (Rose #36265), Nacimiento River (Hardham #4396), Bee Rock (Bacigalupi #7434), and other areas of San Luis Obispo County. *Chorizanthe staticoides* was the only member of this genus identified on the property. Douglas' spineflower does not occur on the property.

- E. Yellow-flowered Eriastrum** (*Eriastrum luteum*) is a CNPS list 1B.2 species known only from Monterey and San Luis Obispo Counties. It grows on drying slopes less than 1000 meters in elevation, usually on decomposed granite. Locality records indicate this species occurs locally from southeast San Luis Obispo County (Santa Margarita) to western Monterey County (Jolon, Pleyto). Habitat appropriate for this species is generally steep chaparral hillsides. Moderately appropriate habitat for this species is present on the subject property. Floristic surveys in May 2006 did not locate yellow-flowered eriastrum on site.
- F. Round-leaved Erodium** (*Erodium macrophyllum*) is a CNPS List 2.1 species known from sporadic occurrences throughout the interior region of California. It is found in clay soils in woodland and grassland habitats. In San Luis Obispo County this species is found from Pozo and eastern Santa Margarita through Creston, Atascadero, Templeton, and eastern Paso Robles. No recent records for this species have been reported to the CNDDDB from the vicinity of the project site. Round-leaved erodium was not found on the property during floristic surveys in May 2006.
- G. Shining Navarretia** (*Navarretia nigelliformis* ssp. *radians*) is a CNPS List 1B.2 subspecies known from vernal pools, valley and foothill grassland, and cismontane woodland habitats in Fresno, Merced, Monterey, San Benito, and San Luis Obispo Counties. Shining navarretia was identified on the Chandler Ranch in an EIR produced in 2000 by Douglas Wood and Associates, Inc., about 2.5 miles south of the subject property. A new locality record for this species was documented by Althouse and Meade, Inc. in May 2006 approximately 0.8 miles west of the subject property. This occurrence is on Arbuckle-Positas complex, 30 to 50 percent slopes (104), a soil type that also occurs on the subject property.

Surveys conducted in May 2006 found two species of navarretia blooming on the property: *N. atractyloides* and *N. pubescens*. Shining navarretia (*N. nigelliformis* ssp. *radians*) was not found on the property in 2006.

### 3.6.5 Special status animals that could occur on or near the property

Appropriate habitat for eleven special status animals is found on the subject property. No special status animals were observed on the property during our site surveys in 2005 and 2006. No trapping for small mammals such as San Joaquin pocket mouse was conducted as a part of our surveys. We searched the property for mammal dens that would indicate use of the property by American badger and San Joaquin kit fox. Reconnaissance surveys of aquatic habitats were conducted in February, March, and May 2006. Protocol surveys for listed vernal pool species were not conducted.

- A. Southwestern pond turtle** (*Actinemys marmorata pallida*) is a California Special Concern species that inhabits ponds and slow moving streams with adequate pools. Pond turtles will move up seasonal streams during the winter months, and can over-summer in underground burrows during dry years when ponds are empty. The large stockpond dries up in the late spring, but could

provide seasonal aquatic habitat for pond turtles. No turtles were observed using the pond in 2005 and 2006.

- B. Pallid bat** (*Antrozous pallidus*) is a California Special Concern species. Pallid bat is a large long-eared bat occurring throughout the state from deserts to moist forests. *A. pallidus* is primarily a crevice roosting species that selects roosts where it can retreat from view. Pallid bats frequently occur in oak woodlands where they roost in tree cavities and rock outcrops. Attics may be used as roosts. Appropriate habitat for this species is found in oak trees on the property.
- C. Burrowing owl** (*Athene cunicularia*) is a rare owl that nests and lives in abandoned dens in the ground in open habitats, most notably those of California ground squirrel. It is a common resident in local areas of the interior, from Bitterwater Valley to the Carizzo Plain. Less frequent reports are from coastal grasslands. There are no reports in the CNDDDB for burrowing owl in the immediate vicinity of the subject property, however appropriate habitat is present, and transient owls could use the property on occasion. A wintering burrowing owl was observed by Althouse and Meade, Inc. biologists approximately 1.5 miles south of the subject property in December 2004. Burrowing owls were not observed on the property during our site surveys.
- D. Vernal pool fairy shrimp** (*Branchinecta lynchi*) is a federally listed threatened species known from the vicinity of the subject property. Occurrence #287 and #380 in the CNDDDB are from vernal pools less than half a mile southeast of the property. Two seasonal ponds are located in drainages on the property that could support vernal pool fairy shrimp. No other seasonal pools were observed on the property.

The grassland that was graded prior to our site surveys was on a mostly level terrace that could have supported vernal pools (refer to discussion in Section 3.1). It is unknown if vernal pools were present at this location prior to disturbance. Two vernal pools were observed on the east side of the eastern property fence in February 2006.

- E. California Horned lark** (*Eremophila alpestris actia*) is a California Special Concern species known from Sonoma County south to San Diego County, and east to the foothills of the Sierra Nevada Mountains. It breeds in open, flat habitats with little vegetation, including grasslands, alkali flats, fallow grain fields, and meadows. Horned larks are common in the interior areas of San Luis Obispo County. They are known to make local movements through the seasons, and may not breed in all areas they are observed. Horned larks have been observed at the Paso Robles airport; however it is uncertain whether nesting occurs. Appropriate breeding habitat for horned lark is present on the subject property.
- F. Loggerhead shrike** (*Lanius ludovicianus*) is a California Special Concern species. It requires open areas with appropriate perches for hunting, and shrubby trees or bushes for nesting. Appropriate foraging habitat is present in



grasslands on site. Vegetation on the property provides only moderate nesting habitat for loggerhead shrikes.

- G. California linderiella** (*Linderiella occidentalis*): California linderiella is an uncommon but wide ranging species of fairy shrimp about an inch in length that inhabits small vernal pools and seasonal ponds in sporadic occurrences throughout much of central California. No occurrences are listed in the CNDDDB for the vicinity of the property. California linderiella could occur in the seasonal ponds on the property.
- H. San Joaquin pocket mouse** (*Perognathus inornatus inornatus*) is a California Special Concern subspecies known from the San Miguel area. There are no recent records of San Joaquin pocket mouse in the vicinity of the property. Small mammal trapping was not conducted as part of this study. The blue oak woodland and surrounding grasslands have suitable substrates for this species.
- I. Western spadefoot toad** (*Spea hammondi*) is a California Special Concern species that breeds in ephemeral pools in open grassland habitats across the interior region of San Luis Obispo County. Spadefoot toads remain underground for most of the year, emerging to breed in seasonal wetland pools during the rainy season. Development of the larvae from egg to metamorphosis can be very quick when water temperatures are warm. Spadefoot toads are known to breed in seasonal pools in the vicinity Highway 46 and Airport Road, and along Huerhuero Road between Airport Road and the Salinas River. Appropriate breeding habitat for spadefoot toad is found in the seasonal ponds on the property. Aquatic sampling of the stock ponds conducted in February, March, and May 2006 did not find spadefoot toads, larvae, or egg masses.
- J. American badger** (*Taxidea taxus*) is a California Special Concern species known from open grassland habitats throughout San Luis Obispo County and elsewhere in California. Appropriate habitat for badger is found on the property. No dens or other sign of badgers were observed on the property during our site surveys.
- K. San Joaquin kit fox** (*Vulpes macrotis mutica*): San Joaquin kit fox is a federally listed endangered species and a state listed threatened species. They are known from the Carizzo Plain, Bitterwater Valley and Camp Roberts, with transient individuals known to move between the populations. Huerhuero Creek is considered to be one of the known movement corridors for kit fox. Huerhuero Creek is adjacent to the property on the west side, across Airport Road. The open grasslands on the property provide appropriate habitat for San Joaquin kit fox. Development on the property will permanently remove habitat for San Joaquin kit fox. This area is within the three to one mitigation ratio area (as per the San Luis Obispo County Standard Kit Fox Mitigation Ratios map, found at:

<http://slocountymaps.calpoly.edu/kitfox.htm>

Approximately four acres of grassland habitat were graded prior to initiation of our biological surveys. No surveys were conducted for San Joaquin kit fox or kit fox dens prior to the ground-breaking activities.

### 3.6.6 Sensitive natural communities

No habitats listed by the California Department of Fish and Game (CDFG) as sensitive natural communities occur on the property. Wetland habitat is defined as a special aquatic site under USACE definitions. Wetlands are present on the property, but have not been formally delineated; however they appear to be confined to drainage channels. Federal jurisdictional wetlands are defined in the 1987 Army Corps of Engineers wetland determination methods as an area five feet in diameter dominated by wetland plants (obligate or facultative wetland species), which has hydrologic conditions that allow water to saturate the soil for several weeks per year, and contains hydric soils.

The State of California uses a broader definition of wetlands. Like the USACE definition, the definition of a wetland adopted by the State (Cowardin, et al., 1979) incorporates the three key parameters of hydrophytic vegetation, hydric soils, and hydrology:

*Wetlands are lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For the purpose of this classification, wetlands must have one or more of the following attributes: (1) at least periodically, the land supports predominantly hydrophytes; (2) the substrate is predominantly undrained hydric soil; (3) the substrate is nonsoil and is saturated or covered with shallow water at some time during the growing season of each year (Cowardin et al. 1979).*

The key difference between the federal and state wetland definitions is that for state wetlands, under some circumstances, only one of the three criteria need be met.

### 3.6.7 Special status species not expected to occur on or near the property

The remaining 13 sensitive species known to be present in the vicinity of the project site are not expected to occur on the property due to the absence of required soil type, lack of appropriate habitat, or because the project site is substantially outside the known range of the species.

## 4.0 Discussion

### 4.1 General Discussion of Property Conditions

Habitats on property, while heavily grazed, are generally in good condition. The mosaic of drainages, woodlands, and grasslands attracts a wide variety of wildlife, from migrant birds to large mammals. Special status animals with the potential to occur on the property include crustaceans, amphibians, birds, and mammals. One hundred thirty-two species of plants were identified on site. No special status plants or animals were found.

Native oak trees are a significant feature of the landscape. Blue oaks form a dense woodland in the main drainage in the center of the property. The woodland trees have

trunks that average 10 to 13 inches in diameter. Large valley and blue oaks located on terraces have trunks that are up to 40 inches in diameter.

The main access road and building pads at the north end of the property were graded and under construction prior to our site surveys. Approximately four acres of grassland habitat were permanently removed without appropriate documentation of biological resources.

The revisions in this document reflect changes made to the conceptual site plan in December 2007. The primary changes are to the potential impacts (Section 5.0) and mitigation recommendations (Section 6.0) sections.

## **4.2 Regulatory Framework**

The California Environmental Quality Act (CEQA) requires the lead agency (in this case, the City of Paso Robles) to determine potential environmental effects of the project. The lead agency must also identify other involved agencies that become responsible or trustee agencies.

All of the plants constituting CNPS List 1B meet the definitions of Sec. 1901, Chapter 10 of the California Native Plant Protection Act (CNPPA) or Secs. 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Game Code, and are eligible for state listing. It is mandatory that they be fully considered during preparation of environmental documents relating to CEQA (CEQA section 15065).

Rare plants protected under the CNPPA must be fully considered under CEQA (CEQA sections 15380, 15386). Proposed impacts that affect more than 10 percent of a local breeding population generally require mitigation at a minimum 2:1 ratio.

The California Department of Fish and Game (DFG) recognizes that Lists 1A, 1B, and 2 of the CNPS Inventory consist of plants that may qualify for listing, and recommends they be addressed in CEQA projects.

Rare plants and animals protected under the Federal Endangered Species Act (FESA) are protected. The United States Fish and Wildlife Service is the agency that regulates activities affecting federally listed species.

Nesting birds are protected from disturbance by The Migratory Bird Treaty Act of 1918, (as regulated by the United States Fish and Wildlife Service) and by sections 3503, 3503.5, and 3800 of the California Department of Fish and Game code.

Wetlands are protected by the Clean Water Act section 401 (state) and section 404 (federal) jurisdictions. Any activity that affects jurisdictional wetlands must be permitted by the United States Army Corps of Engineers with certification by the State Water Resources Control Board.

Seasonal drainages that pass through the property appear to be under the permitting jurisdiction of the U.S. Army Corps of Engineers (section 404), the California Department of Fish and Game (code 1603), and the Regional Water Quality Control Board (section 401). The applicant should demonstrate to the lead agency that all applicable permits have been obtained for work affecting the drainages. All work that

affects the bed or banks of the drainages, including culverts and bridges, is likely to require USACE, RWQCB, and CDFG authorizations. The USACE may require a mitigation and monitoring plan (MMP) that addresses riparian enhancement in response to project impacts. The Corps typically requires a two to one mitigation by area, and monitoring for three years.

## 5.0 Potential Impacts

The proposed project is development of a hotel complex consisting of two 50-room hotels, a 16-room boutique hotel, 175 casitas, restaurant, spa, recreation area with pool, office management space, and a conference/wedding space. The project would be developed in nine phases. A copy of the Development Plan and the Site and Phasing Plan are provided in Appendix A for reference.

Sections 5.1 through 5.4 address potential impacts to biological resources from development on the Property. We include in our analysis impacts to both common and special status species, as well as to habitats that are not sensitive. This consideration contributes to understanding cumulative impacts to the environment that may result from the loss of common species and habitat.

### 5.1 Potential Habitat Impacts

Habitat types on the property were mapped using a 2006 aerial photograph supported by field investigations. A Habitat Map is provided as Figure 6 in Appendix B. Figure 7 depicts the proposed site plan overlaid on the Habitat Map to show how the development proposal is situated in the landscape.

#### 5.1.1 Irrigated pasture

Irrigated pasture is limited to a small grassy area,  $\pm 0.9$  acres in size, near Airport Road in the center of the property. The pasture is located within a seasonal drainage. As part of Phase 9 a lake is proposed to be constructed in the drainage in the location of the irrigated pasture. Construction of the lake would remove all of the irrigated pasture habitat from the property. The irrigated pasture is poor quality wildlife habitat that is not suitable for special status plants or animals.

#### 5.1.2 Anthropogenic

Anthropogenic habitat encompasses the existing residence, driveway, and detached structures, as well as Biejo Way and associated development at the north end of the property. Anthropogenic areas comprise  $\pm 5.4$  acres of the property. The proposed project would increase the anthropogenic habitat on the property to approximately 20 acres. The anthropogenic habitat is poor quality wildlife habitat that is not suitable for special status plants or animals.

#### 5.1.3 Annual grassland

Approximately  $\pm 26.5$  acres of annual grassland habitat is mapped on the property. Proposed development on the property would result in a permanent loss of  $\pm 15.5$  acres of annual grassland habitat. A landscape plan was not available for review prior to this assessment. Landscape installations could impact additional annual grassland acreage.

The grassland habitat on the property is potential habitat for several special status plants and animals. Impacts to annual grassland habitat that affect special status species can be mitigated to a less than significant level (refer to Sections 5.4 and 6.4).

#### *5.1.4 Blue oak woodland*

The proposed project would largely avoid blue oak woodland habitat. Minor impacts to oak trees could occur where a road crossing is proposed south of the existing lake in Phase 6. Minor impacts to oak trees are addressed in Section 5.2. No significant impacts to blue oak woodland are anticipated from the proposed project.

#### *5.1.5 Seasonal pond*

Development of the roads and buildings is not expected to impact the seasonal ponds on the property. Pond 1 is a seasonal pond with the potential for harboring special status species. A road crossing is planned in the drainage immediately upstream (south) of the pond. Pond 2 is located in the main drainage in the center of the property. No impacts to this pond are anticipated.

Pond 3 is a proposed aquatic feature to be constructed by earthen dam placed within the main drainage on the property. Construction of this pond could be beneficial to local wildlife if exotic sportfish are not introduced.

If the project would require work in the ponds, special status species and jurisdictional wetlands could be impacted (refer to Sections 5.4, 6.1, and 6.4).

#### *5.1.6 Wetland*

Wetlands are located within some areas of the drainages on the property. Internal roads will require two drainage crossings. As part of Phase 6 a crossing is proposed in the far southwest corner of the property just upstream (south) of Pond 1. This is a jurisdictional drainage. A wetland delineation would be required to determine jurisdictional status of the stream bottom at this location.

A second drainage crossing is proposed as part of Phase 9 across the main central drainage on the property. The crossing would be located in a section of drainage that may not be within the permitting jurisdiction of the CDFG, USACE, or RWQCB.

Crossing details were not available for review. Installation of bridges would span the drainage bottoms thereby avoiding impacts to potential wetlands. A culvert would result in permanent impacts to a small jurisdictional area.

#### *5.1.7 Riparian*

The proposed project would not remove riparian habitat on the property. Water quality could be affected from storm drains and surface run-off.

## **5.2 Potential Oak Tree Impacts**

No oak trees are expected to be removed; however construction of the proposed project could impact the critical root zones of both blue and valley oaks.

The critical root zone (CRZ), as defined by the City of Paso Robles, is an area of root space that is within a circle circumscribed around the trunk of a tree using a radius of 1

foot per inch dbh, e.g., a 20-inch diameter tree has a CRZ with a radius of 20 feet as measured from the center of the tree (City of El Paso de Robles - Ordinance No. 835 N.S). This measurement often extends beyond the actual drip-line of the tree. It appears that the proposed site plan accurately accounts for the critical root zone of oak trees on the property.

### **5.3 Potential Impacts to Common Wildlife**

#### *5.3.1 Nesting habitat*

Impacts to or take of nesting birds could occur if grading or tree removal/trimming is conducted during nesting season (March 15 through August 15). Take of common nesting birds is prohibited by federal and state code. Impacts to or take of common nesting birds can be avoided (refer to Section 6.3.1).

#### *5.3.2 Reduction of movement corridors*

Development of the proposed project would alter common wildlife species' patterns of movement across the property. Movement corridors through drainages to and from nearby Huerhuero Creek would not be completely disrupted, but free movement across the property would be reduced. Impacts to San Joaquin kit fox movement corridors are discussed in Section 5.4.1.

#### *5.3.3 Displacement and/or take*

Common wildlife species currently living on the property or using the property as transients would be displaced by development of the site. Take of common species may occur during construction activities. Displacement and/or take of common wildlife species is not a significant impact.

### **5.4 Potential Impacts to Special Status Species**

Eleven special status animals and seven special status plants have the potential to occur on the property. Two special status mammals, San Joaquin kit fox and American badger, are known to occur in regional grassland habitats. Pallid bat, a California Special Concern species, could occur in oak trees on the property. Three sensitive birds (California horned lark, burrowing owl, and loggerhead shrike) could nest on the property. Two special status crustaceans, vernal pool fair shrimp and California linderiella, and one special status amphibian, Western spadefoot toad, could be present in seasonal ponds on the property. None of the seven special status plants identified as having the potential to occur on the property were identified during floristic surveys conducted in the spring of 2006. No special status animals were identified on the property.

#### *5.4.1 San Joaquin kit fox*

The project site is within known San Joaquin kit fox habitat. Approximately 20 acres of annual grassland habitat usable by San Joaquin kit fox would be removed. Drainages on the property may facilitate kit fox movement into temporary foraging areas adjacent to Huerhuero Creek, a known movement corridor.

The potential for kit fox passage through the drainages on the property would be reduced by the project, thereby removing approximately 5 additional acres from potential use. The entire property, consisting of 40.36 acres may be removed from potential use by kit fox if a wall or wooden fence is built around the property boundaries. Precise acreages will be calculated upon approval of the proposed site plan by the City of Paso Robles. Removal of San Joaquin kit fox habitat can be mitigated (refer to Section 6.4.1).

#### 5.4.2 *American badger*

More than 15 acres of annual grassland habitat usable by badgers would be removed. Indirect impacts to badgers include the loss of foraging and denning habitat. Direct impacts could occur if a badger takes up residence on the property. The loss of grassland habitat is not a significant impact, although the cumulative loss of habitat in the Paso Robles region has negatively affected badger populations in the area. Disturbance of denning badgers can be avoided (refer to Section 6.4.2).

#### 5.4.3 *Pallid bat*

Removal of mature trees with trunk cavities or loose bark could impact roosting bats and/or maternal bat colonies. Disturbance of pallid bat or maternity colonies of any bat species can be avoided (refer to Section 6.4.3).

#### 5.4.4 *California horned lark, burrowing owl, and loggerhead shrike*

Impacts to special status ground-nesting birds such as burrowing owl and California horned lark could occur if grading is conducted during nesting season. Take of special status tree-nesting birds such as loggerhead shrike could occur if tree removal or trimming is conducted during nesting season. Impacts to nesting birds can be avoided (refer to Section 6.4.4).

#### 5.4.5 *Fairy shrimp (Vernal pool fairy shrimp, California linderiella)*

Potential habitat for fairy shrimp may be present in seasonal ponds on the property. Fairy shrimp were not detected during our reconnaissance level aquatic surveys of the property. The proposed site plan (Appendix A) does not indicate improvements to the two seasonal ponds (Ponds 1 and 2) on the property. If the project would require work in the ponds, sensitive fairy shrimp species could be impacted.

#### 5.4.6 *Western spadefoot toad*

Potential breeding habitat for Western spadefoot toad may be present in seasonal ponds on the property. Spadefoot toads were not detected during aquatic surveys of the property. The proposed site plan (Appendix A) does not indicate improvements to the two seasonal ponds (Ponds 1 and 2) on the property. The project is not expected to impact Western spadefoot toads.

## 6.0 Mitigation Recommendations

We recommend the following biological resource (BR) mitigation measures to prevent or mitigate for impacts to rare species and nesting birds.

### 6.1 Habitat Mitigations

#### 6.1.1 *Irrigated pasture and anthropogenic habitat*

Impacts to irrigated pasture and anthropogenic habitat would not result in significant impacts to biological resources; therefore no mitigation is required.

#### 6.1.2 *Annual grassland*

Impacts to annual grassland habitat in the Paso Robles region are not typically considered significant unless special status species are affected. Grassland habitat on the property is considered potential habitat for the federally endangered San Joaquin kit fox. Loss or permanent degradation of grassland habitat on the property is a significant but mitigable impact (refer to Section 6.4.1).

#### 6.1.3 *Blue oak woodland*

Significant impacts to blue oak woodland habitat are not anticipated from the proposed project; therefore no mitigation is required. Mitigation for potential impacts to individual oak trees is discussed below (refer to Section 6.3).

#### 6.1.4 *Seasonal pond*

Seasonal ponds on the property are located in drainages, support wetland conditions, and are protected under section 404 of the Clean Water Act, as regulated by the United States Army Corps of Engineers and certified, under section 401, by the Regional Water Quality Control Board. The Federal Endangered Species Act (FESA), as regulated by USFWS, protects federally listed species and their habitat. Seasonal ponds on the property are potential habitat for federally listed species.

If the project would require work in the ponds, appropriate mitigation measures shall be implemented (refer to BR-1 and BR-24).

#### 6.1.5 *Wetland*

A formal wetland delineation should be conducted on the property according to state and federal standards to determine the extent of Clean Water Act section 404 jurisdictional wetlands and waters of the United States.

### **BR-1. If impacts to wetlands are proposed, the following steps shall be taken:**

- i. Permits must be obtained, as appropriate, from the California Department of Fish and Game (DFG Code 1603), the U.S. Army Corps of Engineers (Section 404 of the Clean Water Act), the Regional Water Quality Control Board (Section 401 of the Clean Water Act)
- ii. An on-site monitor will be required during construction activities in areas containing jurisdictional wetlands.



- iii. A mitigation, monitoring, and reporting plan will be prepared and approved by the City and other jurisdictional agencies, as appropriate (i.e., California Department of Fish and Game, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board). Wetland mitigation will increase the aerial extent of wetland habitat on site at a two-to-one ratio (created wetland area to impacted wetland area).
- iv. Mitigation implementation and success will be monitored for a minimum of three years, depending on the jurisdictional agencies' requirements.

#### *6.1.6 Riparian*

The proposed project would not directly impact riparian habitat on the property; therefore no mitigation is required.

### **6.2 Common Wildlife Mitigations**

#### *6.2.1 Nesting habitat*

Migratory non-game native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory non-game birds (as listed under the Federal MBTA).

**BR-2. Within one week of ground disturbance or tree removal/trimming activities,** if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during the breeding season from March 15 to August 15. If construction activities must be conducted during this period, nesting bird surveys shall take place within one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. Construction activities shall observe a 300-foot buffer for occupied raptor nests. A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements.

#### *6.2.2 Reduction of movement corridors*

The proposed project would degrade a potential movement corridor for San Joaquin kit fox across the property. The loss of potential movement corridor habitat for the federally listed endangered San Joaquin kit fox may be mitigated at a 3 to 1 ratio (refer to BR-9).

#### *6.2.3 Displacement and/or take*

Wildlife expected to occur on the property includes common species such as red fox, mule deer, coyote, striped skunk, raccoon, black-tailed jackrabbit, and several species of rodents. Mitigations for impacts to common wildlife species are usually not required.

### 6.3 Oak Tree Mitigations

Oak tree impacts and mitigation requirements shall be compiled by the project arborist. The following mitigation recommendations are modeled after guidelines set forth in the Paso Robles Tree Ordinance (City of El Paso de Robles - Ordinance No. 835 N.S).

- BR-3.** Tree canopies and trunks within 50 feet of proposed disturbance zones should be mapped and numbered by a qualified biologist and a licensed land surveyor. Data for each tree should include date, species, number of stems, diameter at breast height (dbh) of each stem, critical root zone (CRZ) diameter, canopy diameter, tree height, health, habitat notes, and nests observed. - **Completed 2005.**
- BR-4.** An oak tree protection plan shall be prepared and approved by the City of Paso Robles.
- BR-5.** Impacts to the oak canopy or critical root zone (CRZ) should be avoided where practicable. Impacts include pruning, any ground disturbance within the dripline or CRZ of the tree (whichever distance is greater), and trunk damage.
- BR-6.** Impacted oaks shall be mitigated for by planting one 24" boxed tree for impacts up to 25% of the root zone or canopy. Two 24" boxed trees shall be planted for trees with impacts up to 50% of the tree, and so on. The mitigation trees shall be incorporated into the landscape plan.
- BR-7.** Replacement oaks for removed trees must be equivalent to 25% of the diameter of the removed tree(s). For example, the replacement requirement for removal of two trees of 15 inches dbh (30 total diameter inches), would be 7.5 inches (30" removed x 0.25 replacement factor). This requirement could be satisfied by planting five 1.5" trees, or three 2.5 inch trees, or any other combination totaling 7.5 inches. A minimum of two 24" box, 1.5" trees shall be required for each oak tree removed.
- BR-8.** Replacement trees should be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least 7 years.

### 6.4 Special Status Species Mitigations

#### 6.4.1 San Joaquin kit fox

San Joaquin kit fox could occur in the project area. The project would result in a net loss of kit fox habitat (refer back to Section 5.1.3). Construction activities could directly impact (take) San Joaquin kit fox. The following mitigation recommendations are designed to reduce the potential for direct impacts to kit fox to a less than significant level.

- BR-9.** Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of Paso Robles (City) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of **[Total number of mitigation acres required]** acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the City.

This mitigation alternative (a.) requires that all aspects of this program must be in place before City permit issuance or initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to “The Nature Conservancy”, would total **[\$Amount of fee based on \$2500 per acre]**. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to City permit issuance and initiation of any ground disturbing activities.

- c. Purchase **[Total number of mitigation acres required]** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total **[\$Amount of mitigation acres required (i.e. credits), currently priced at \$2500 per**

**credit].** This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to City permit issuance and initiation of any ground disturbing activities.

**BR-10. Prior to issuance of grading and/or construction permits,** the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:

- i. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction,** the biologist 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.
- ii. **The qualified biologist 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 Mitigation Measures BR-10 through BR-19. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (refer to BR-10iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.
- iii. **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 biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFG 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, work shall stop until such time the USFWS determines 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 USFWS. 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.

- iv. **In addition,** the qualified biologist 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:
  - Potential kit fox den: 50 feet
  - Known or active kit fox den: 100 feet
  - 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 by a qualified biologist shall be required during ground disturbing activities.

**Monitoring:** Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the City Planning Division.

**BR-11. Prior to issuance of grading and/or construction permits**, the applicant shall clearly delineate the following as a note on the project plans: "*Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox*". Speed limit signs shall be installed on the project site **within 30 days prior to initiation of site disturbance and/or construction**.

**BR-12. 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.

**BR-13. Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction**, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the

training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

- BR-14. During the site-disturbance and/or construction phase,** to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and 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 biologist and allowed to escape unimpeded.
- BR-15. 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. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped.
- BR-16. During the site-disturbance and/or construction phase,** all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
- BR-17. 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.
- BR-18. 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 applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFG by telephone. 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 CDFG for care, analysis, or disposition.

**BR-19. Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:**

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

**Monitoring (San Joaquin Kit Fox Measures BR-10 to BR-19):** Compliance will be verified by the City of Paso Robles, Planning Division in consultation with the California Department of Fish and Game. As applicable, each of these measures shall be included on construction plans.

#### 6.4.2 *American badger*

American badger could occur in the project areas. The project will result in a net loss of badger habitat. Mitigation is not required for loss of badger habitat. To ensure take of live badgers does not occur, the following mitigation recommendation shall be implemented:

**BR-20. A pre-construction survey shall be conducted within thirty days of beginning work on the project** to identify if badgers are using the site. The results of the survey shall be sent to the project manager, CDFG, and the City of Paso Robles.

If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property, and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens on the property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1 and February 1 all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the property during the pre-

construction survey, the CDFG wildlife biologist for the area shall be contacted to review current allowable management practices.

#### 6.4.3 *Pallid bat*

Roosting bats and/or maternal bat colonies may be present in trees with appropriate cavities or loose bark on the project site.

**BR-21. Prior to removal of any trees over 20 inches dbh, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. Maternal bat colonies may not be disturbed.**

#### 6.4.4 *California horned lark, burrowing owl, and loggerhead shrike*

Three special status bird species were identified as having the potential to nest on the property. If work is conducted on the property from March 15 through August 15 pre-construction surveys for nesting birds are required (refer to BR-2). If occupied nests of special status birds (e.g. California horned lark, burrowing owl, loggerhead shrike) are present, the following additional mitigation recommendations shall be implemented:

**BR-22. All occupied nests shall be mapped using GPS or survey equipment.** The mapped locations shall be placed on a copy of the grading plans with a 300-foot buffer indicated. Work shall not be allowed within the 300 foot buffer while the nest is in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas. The project biologist may use discretion to reduce or increase the buffer distance based on the sensitivity level of the nest and adjacent work.

**BR-23. Occupied nests of special status bird species that are within 300 feet of project work areas shall be monitored bi-monthly through the nesting season to document nest success and check for project compliance with buffer zones. Once nests are deemed inactive and/or chicks have fledged and are no longer dependant on the nest, work can commence.**

#### 6.4.5 *Fairy shrimp*

Two sensitive species of fairy shrimp are known to occur in ephemeral pools in the Paso Robles region: vernal pool fairy shrimp (endangered) and California linderiella (no listing status). If the project is expected to impact seasonal ponds on the property, surveys should be performed according to USFWS protocols if the in order to establish presence or absence on site.

**BR-24. Prior to issuance of grading and/or construction permit(s), if work is expected to impact seasonal ponds on the property, a biologist qualified to conduct surveys for sensitive fairy shrimp species according to USFWS protocols shall conduct a fairy shrimp habitat assessment to determine the potential for fairy shrimp to occur on site. If potential habitat is present, a**



protocol survey shall be conducted. If vernal pool fairy shrimp (*Branchinecta lynchi*) are discovered, consultation with the USFWS must occur.

**6.4.6 *Western spadefoot toad***

The proposed project is not expected to impact Western spadefoot toad; therefore no mitigation is required.

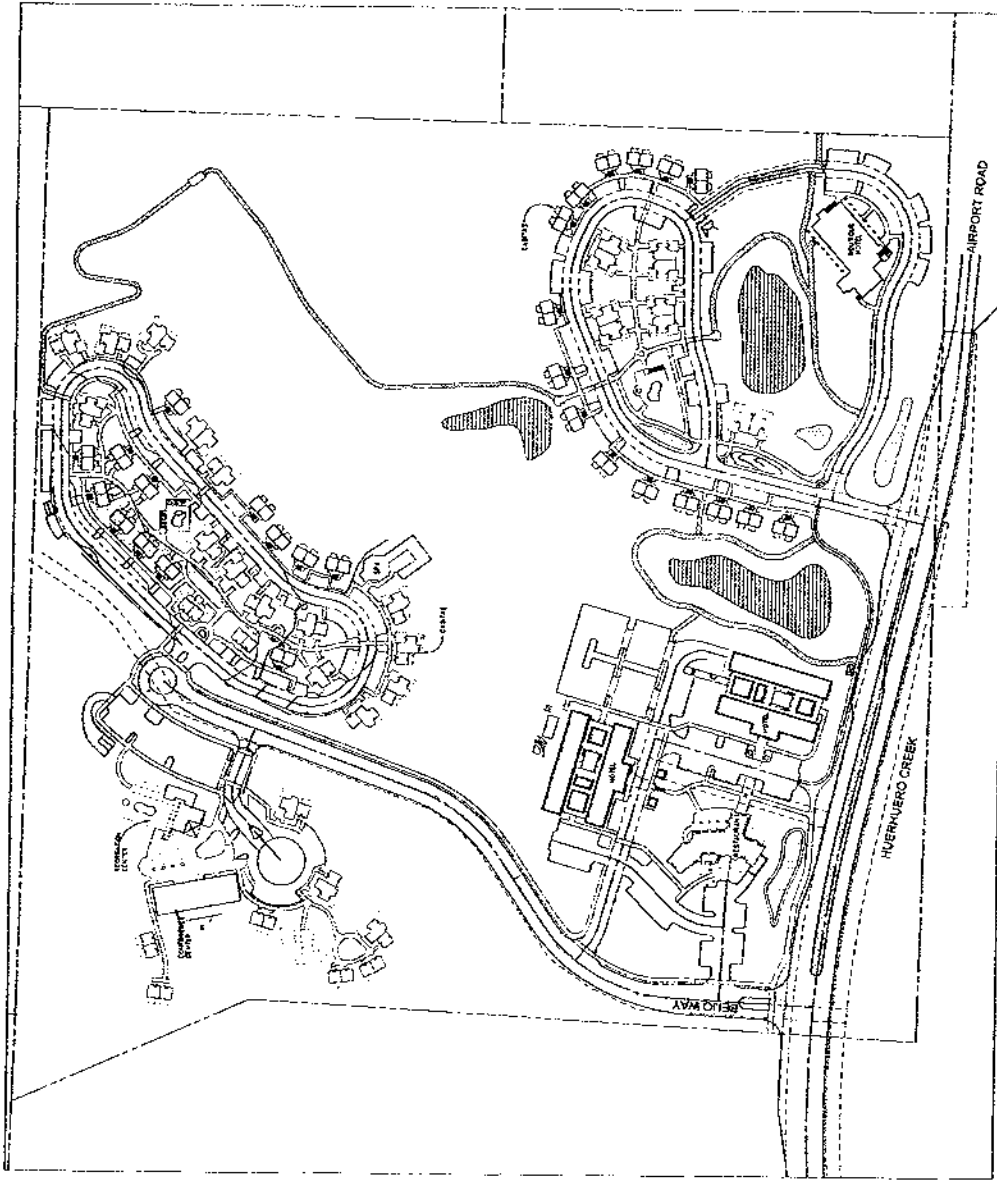
## 7.0 References

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## **APPENDIX A – Project Maps**

- **Development Plan for Destino Paso**
- **Destino Paso Site and Phasing Plan, Tract 2962**

DEVELOPMENT PLAN  
FOR  
**DESTINO PASO**



**SITE STATISTICS - OVERVIEW**  
 TOTAL GROSS AREA 3.2 ACRES  
 TOTAL LOT AREA 1.2 AC  
 UNDISTURBED OPEN SPACE 2.0 AC

**RECORDS OWNER:** NORTON, JAMES MERVIN HANCOCK  
 P.O. BOX 1511  
 PASO ROBLES, CA 93444

**APPLICANT:** JERRY AND KATHLEEN HANCOCK  
 P.O. Box 1511  
 PASO ROBLES, CA 93444

**PROJ-188:** NORTH COAST PROPERTIES, INC.  
 10000 S. GARDEN AVENUE  
 PASO ROBLES, CA 93444  
 GUY F. HANCOCK  
 CIVIL ENGINEER  
 EST. 1955

**AP N:** 09-144028 & 030

**EXISTING USE:** VACANT

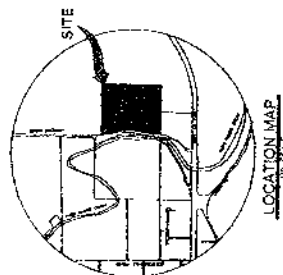
**PROPOSED ORIGINAL PLAN DESIGNATION:** POS

**EXISTING ZONING:** POS

**PROPOSED ZONING:** RESORT

**SHEET INDEX**

1. COVER SHEET
2. VERTING TENTATIVE MAP
3. SITE AND PHASING PLAN
4. PRELIMINARY GRADING & DRAINAGE PLAN - WEST
5. PRELIMINARY GRADING & DRAINAGE PLAN - EAST
6. PRELIMINARY UNDERGROUND PLAN - WEST
7. PRELIMINARY UNDERGROUND PLAN - EAST
8. SITE CROSS SECTIONS



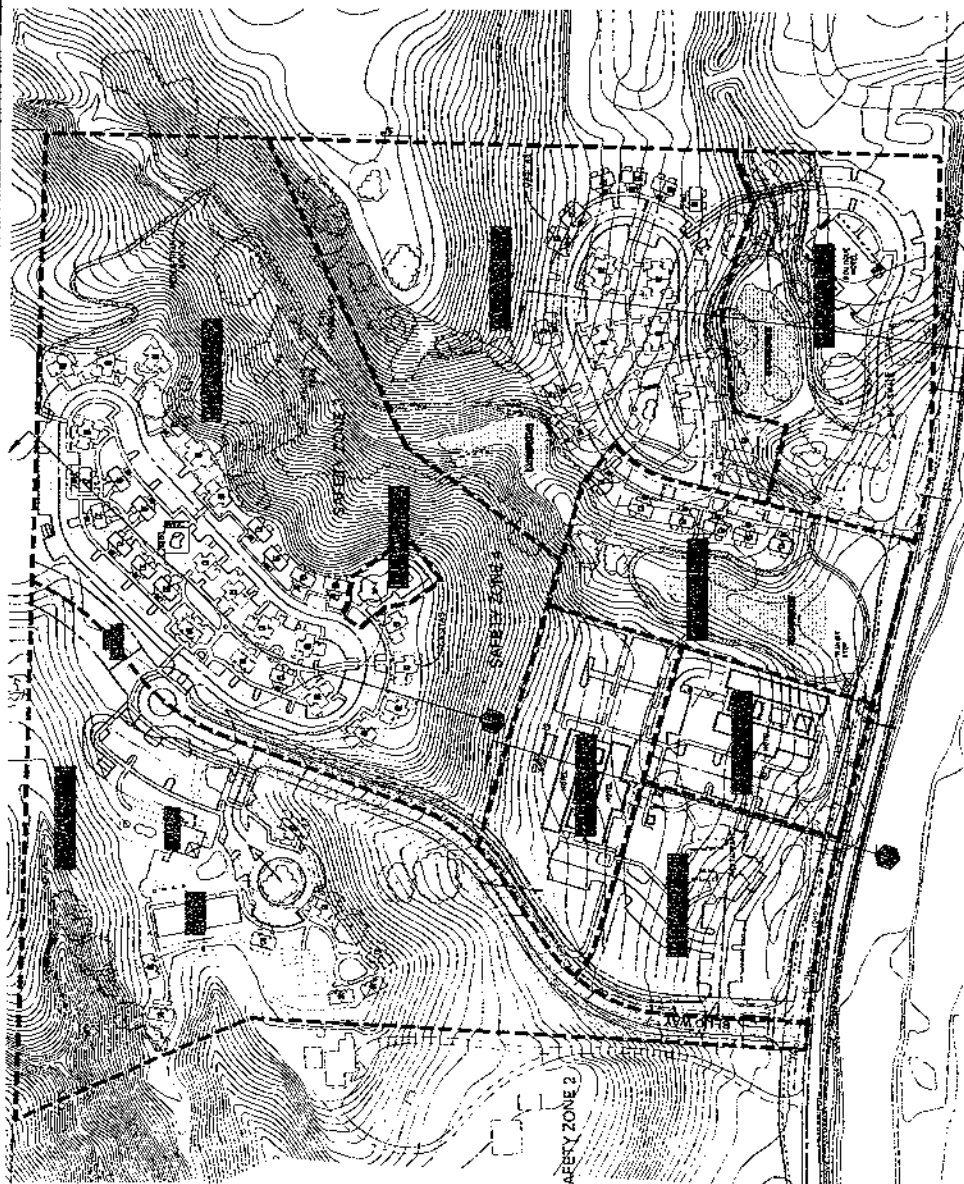
SHEET 1 OF 8

# PHASING CONCEPT

PHASE	DESCRIPTION	ACRES	EST. COST
PHASE 1	Site Preparation, Utility Work, Foundation Work, and Initial Building Construction.	1.10	\$1,100,000
PHASE 2	Construction of the remaining buildings and site improvements.	1.10	\$1,100,000
PHASE 3	Final site improvements, landscaping, and parking areas.	1.10	\$1,100,000
PHASE 4	Construction of the remaining buildings and site improvements.	1.10	\$1,100,000
PHASE 5	Construction of the remaining buildings and site improvements.	1.10	\$1,100,000
PHASE 6	Construction of the remaining buildings and site improvements.	1.10	\$1,100,000
PHASE 7	Construction of the remaining buildings and site improvements.	1.10	\$1,100,000
PHASE 8	Construction of the remaining buildings and site improvements.	1.10	\$1,100,000
PHASE 9	Construction of the remaining buildings and site improvements.	1.10	\$1,100,000

**PROJECT STATISTICS SUMMARY**

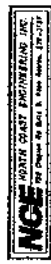
TOTAL ACRES	11.10
TOTAL EST. COST	\$11,100,000
TOTAL BUILDING AREA	1,110,000 sq. ft.
TOTAL PARKING SPACES	111
TOTAL TRUCK SPACES	11
TOTAL TRUCK SPACES (WITH 10' CLEARANCE)	11
TOTAL TRUCK SPACES (WITH 12' CLEARANCE)	11



**LEGEND**

UTILITY WORK FOUNDATION WORK INITIAL BUILDING CONSTRUCTION CONSTRUCTION OF REMAINING BUILDINGS FINAL SITE IMPROVEMENTS	SAFETY ZONE 2 CONTOUR LINES GRID LINES BUILDING FOOTPRINTS PARKING SPACES TRUCK SPACES	PHASE 1 PHASE 2 PHASE 3 PHASE 4 PHASE 5 PHASE 6 PHASE 7 PHASE 8 PHASE 9
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## DESTINO PASO SITE AND PHASING PLAN TRACT 2962



**NCE**

SCALE: 1"=80'

DATE: 10/15/2010

## **APPENDIX B – Figures**

- **Figure 1. Location Map**
- **Figure 2. USGS Topographic Map**
- **Figure 3. Soils Map**
- **Figure 4. Aerial Photograph**
- **Figure 5. CNDDDB Map**
- **Figure 6. Habitat Map**
- **Figure 7. Habitat Map with Site Plan Overlay**

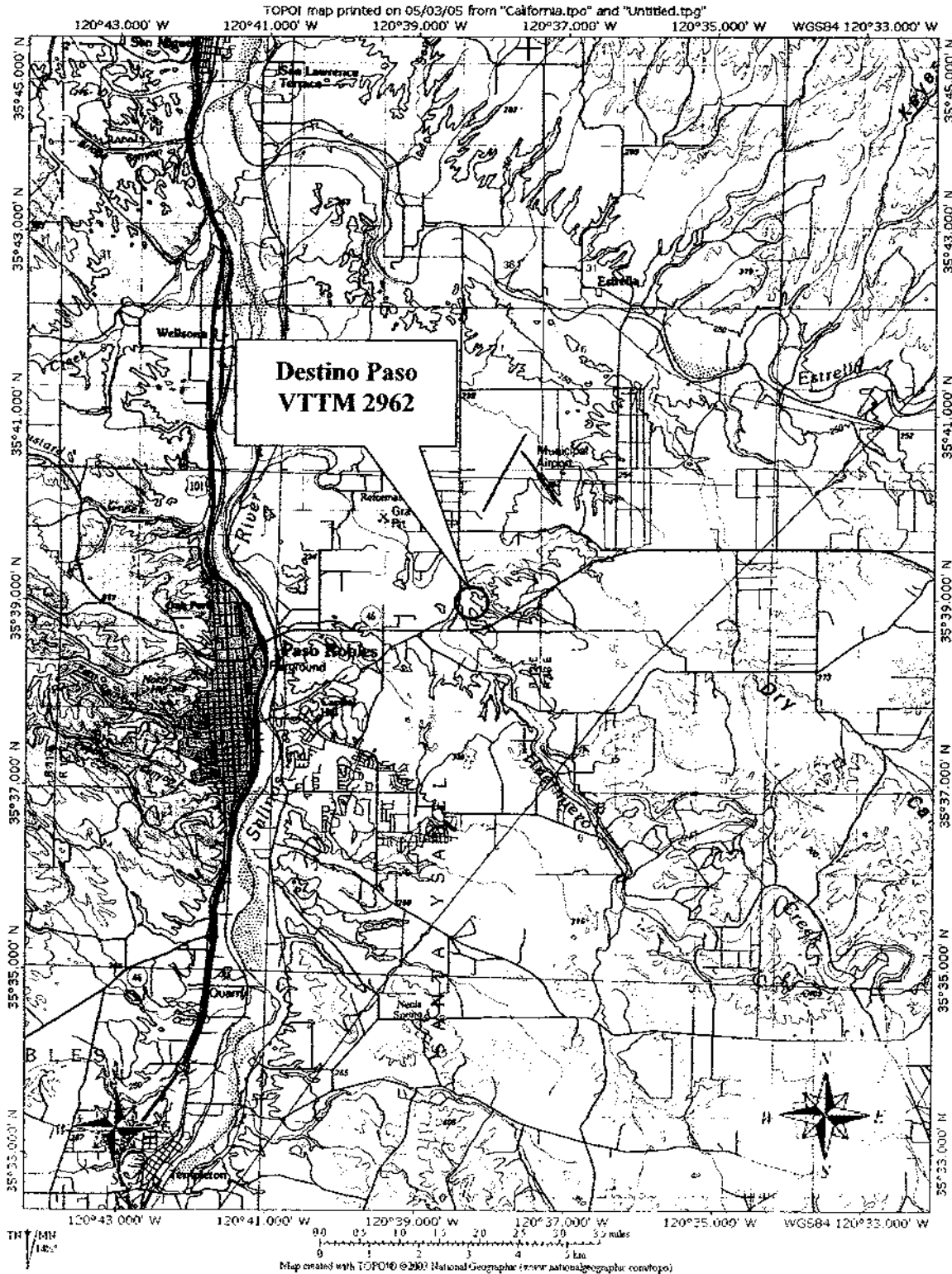


FIGURE 1. LOCATION MAP. The Handley property is located in the northeastern corner of the City of Paso Robles, San Luis Obispo County, California. The property is within the Paso Robles USGS 7.5 minute quadrangle.

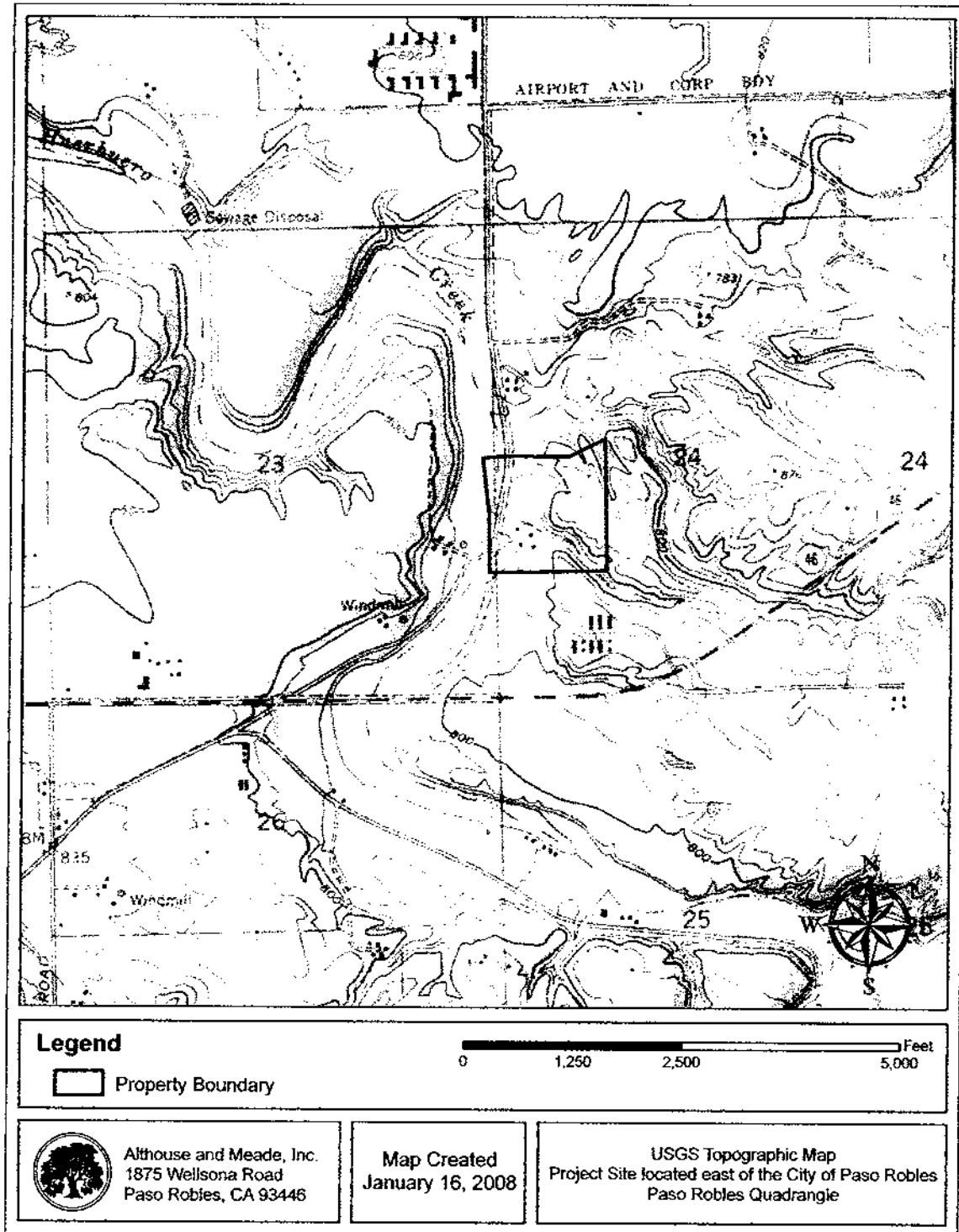


FIGURE 2. USGS TOPOGRAPHIC MAP. The Destino Paso property is situated on the east side of Airport Road, north of Highway 46 East. The approximate property boundaries are indicated in red.



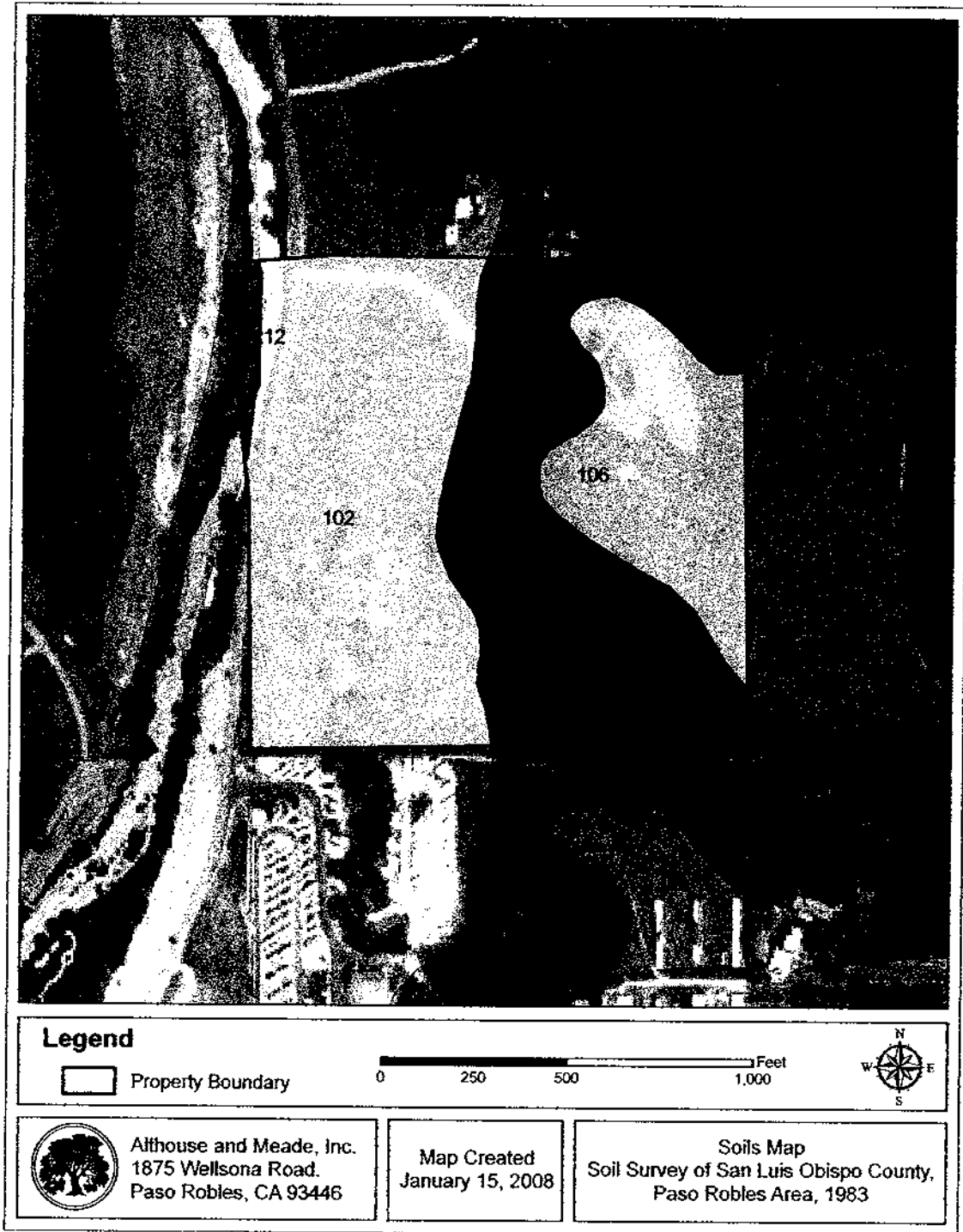


FIGURE 3. SOILS MAP. The approximate property boundaries of the subject property are outlined in red on the USDA Soil Survey of San Luis Obispo County, California, Paso Robles Area (1984) map. Four soil types occur on the property.

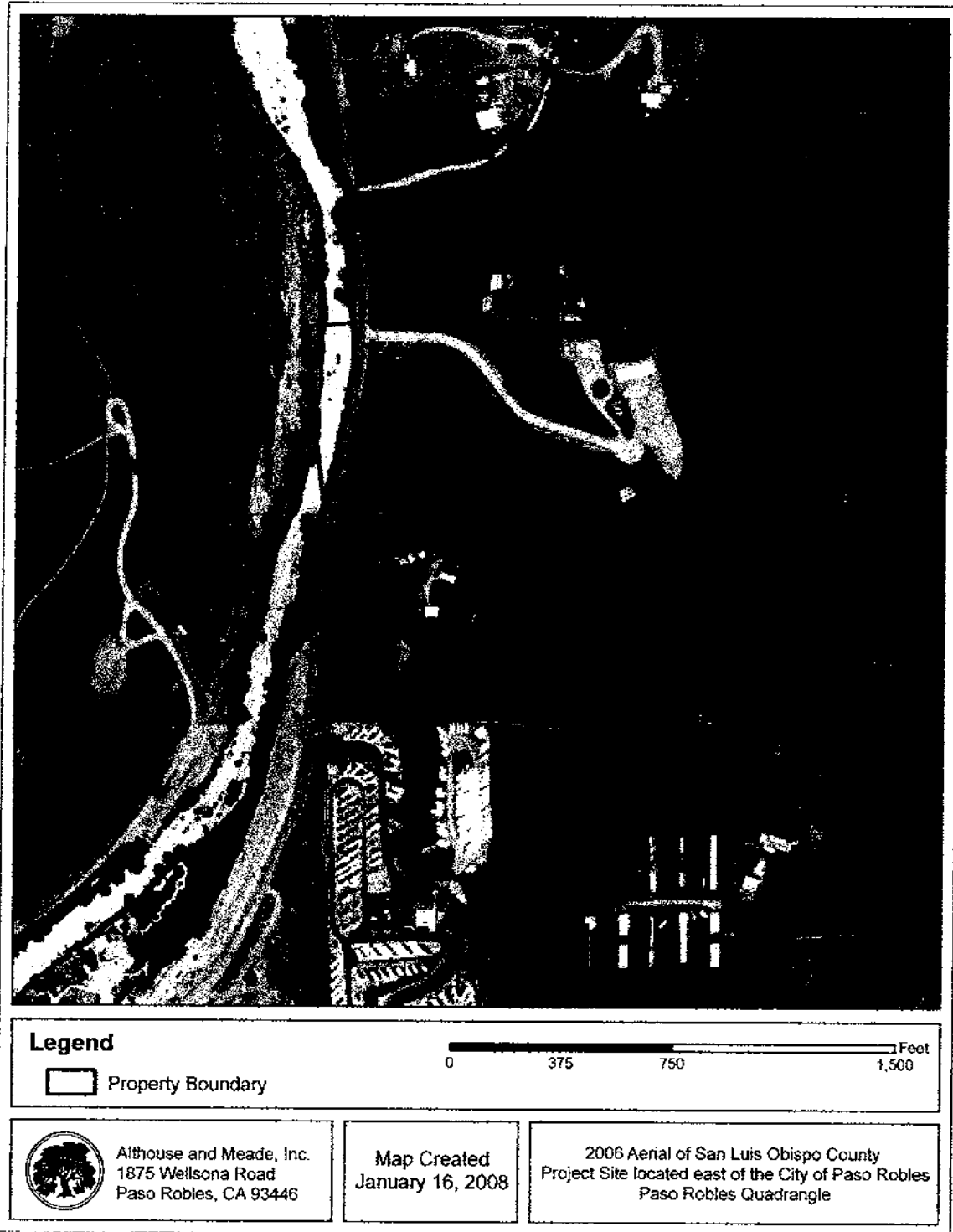


FIGURE 4. AERIAL PHOTOGRAPH. Approximate property boundaries are shown in red. Aerial photograph provided by Golden State Aerials, Inc., dated November 11, 2002.

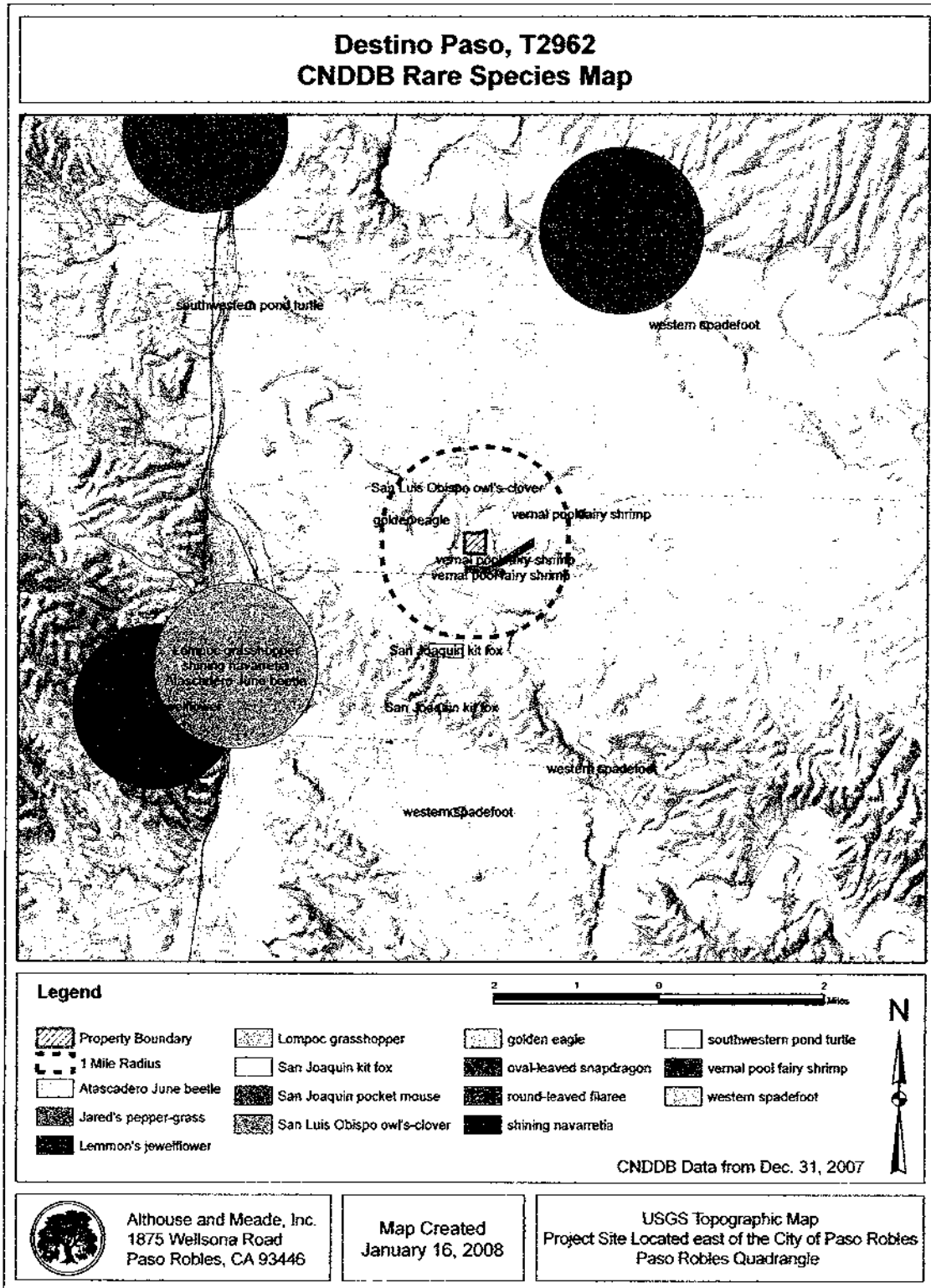


FIGURE 5. CNDDDB GIS MAP. The current GIS data from the CNDDDB for special status species within five miles of the property is depicted on a hillshade topographic map. The approximate property boundaries are indicated by the green hatched square in the center of the image, and a one-mile radius around the property is indicated by the dashed red line for scale.

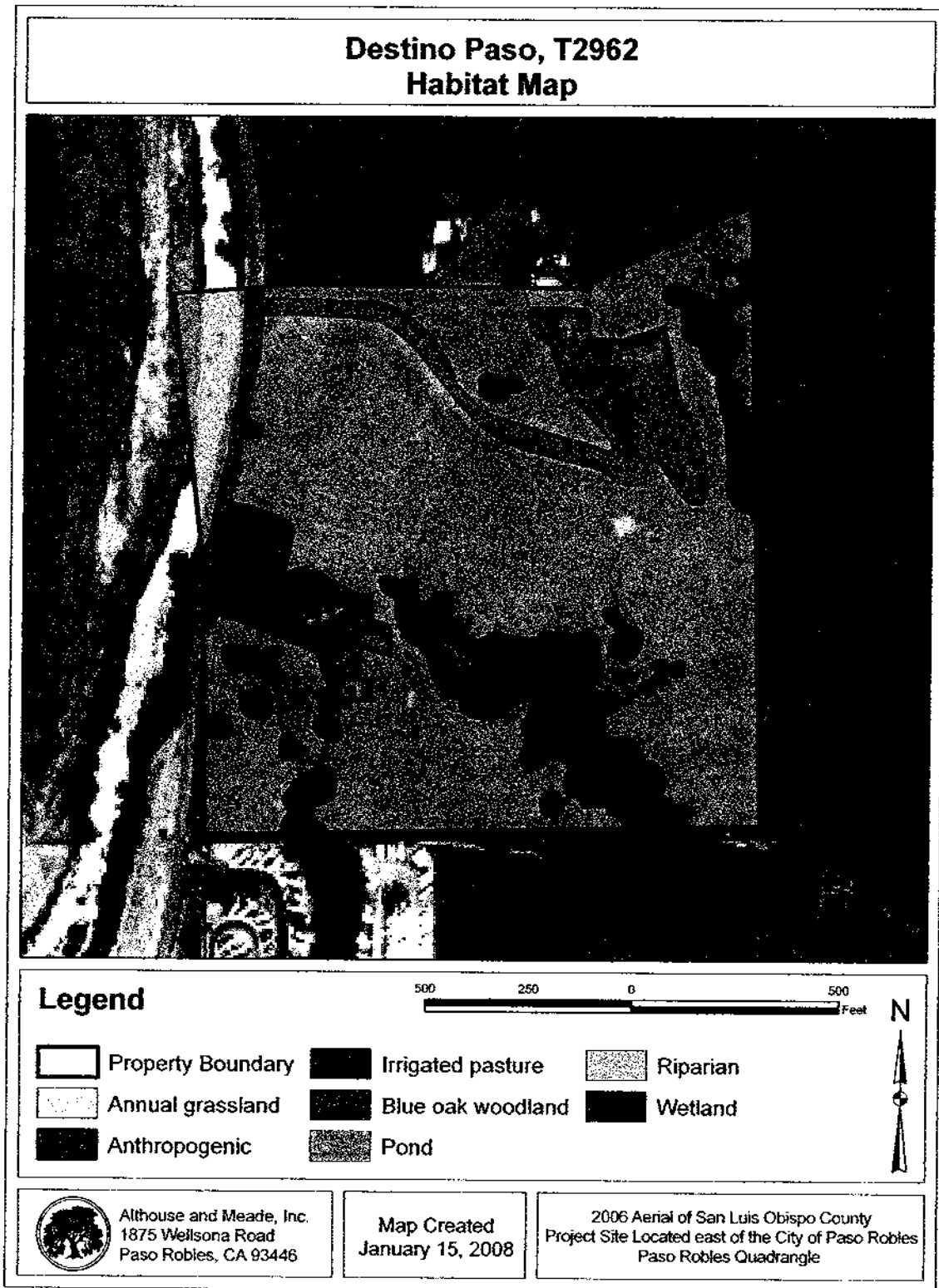


FIGURE 6. HABITAT MAP. Habitat types described for the property are mapped on a 2006 aerial photograph of the Destino Paso property. All areas are approximate.

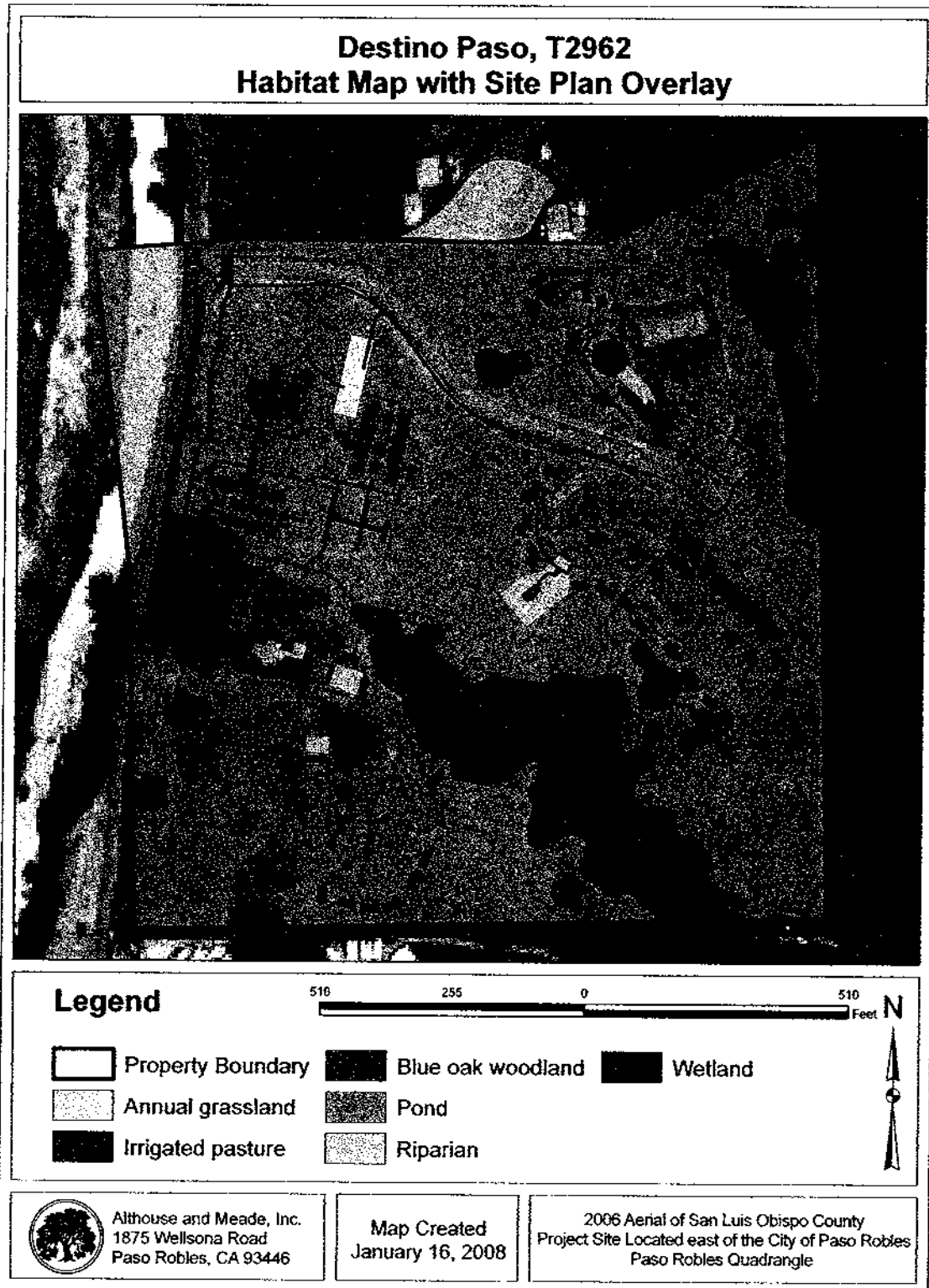


FIGURE 7. HABITAT MAP WITH SITE PLAN OVERLAY. The proposed Site Plan is overlaid in grayscale on the Habitat Map. All gray polygons are proposed or existing development. Some roads and parking are not shown.

## **APPENDIX C – Photos**



Photo 1. View north of grazed annual grassland habitat on the terrace at the east end of the property.



Photo 2. View north of the main drainage from the southeast corner of the property. Blue oak woodland habitat covers the north-facing slope and drainage bottom.

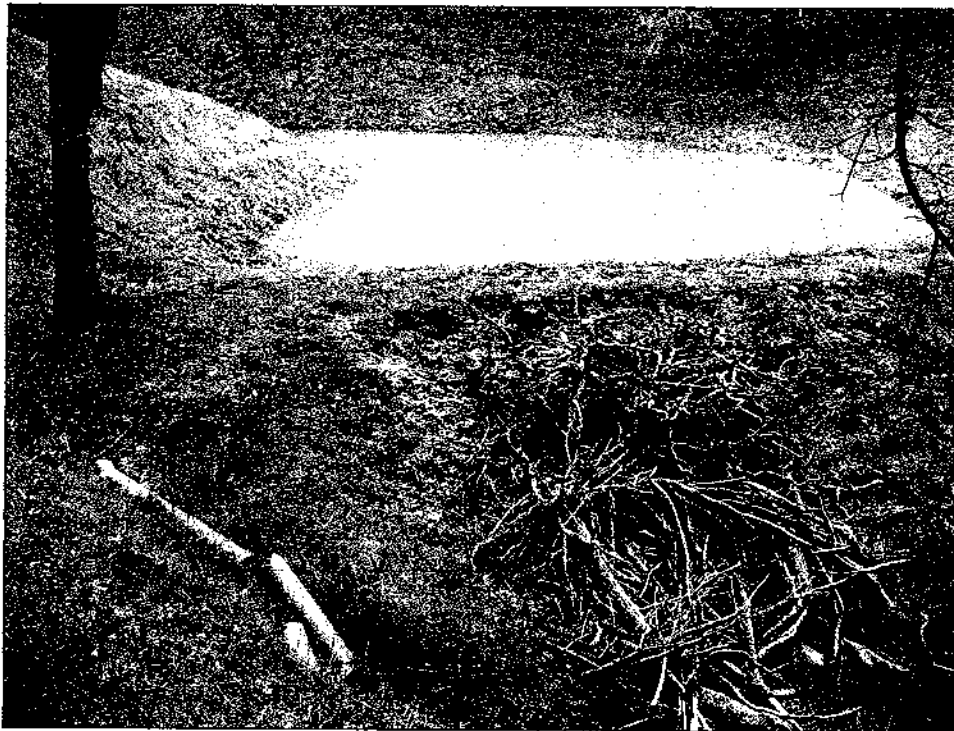


Photo 3. Pond 2 is located in the main drainage east of the existing residence. Photograph taken March 30, 2006.

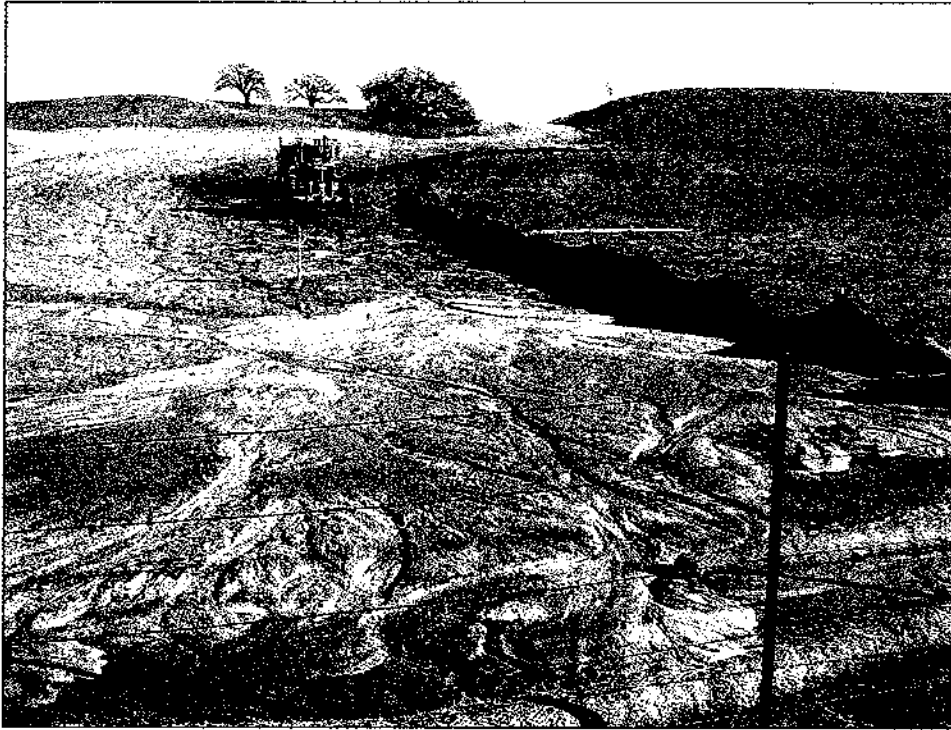


Photo 4. View east of the location of the proposed road crossing in Phase 6 of the drainage at the southwest property corner.

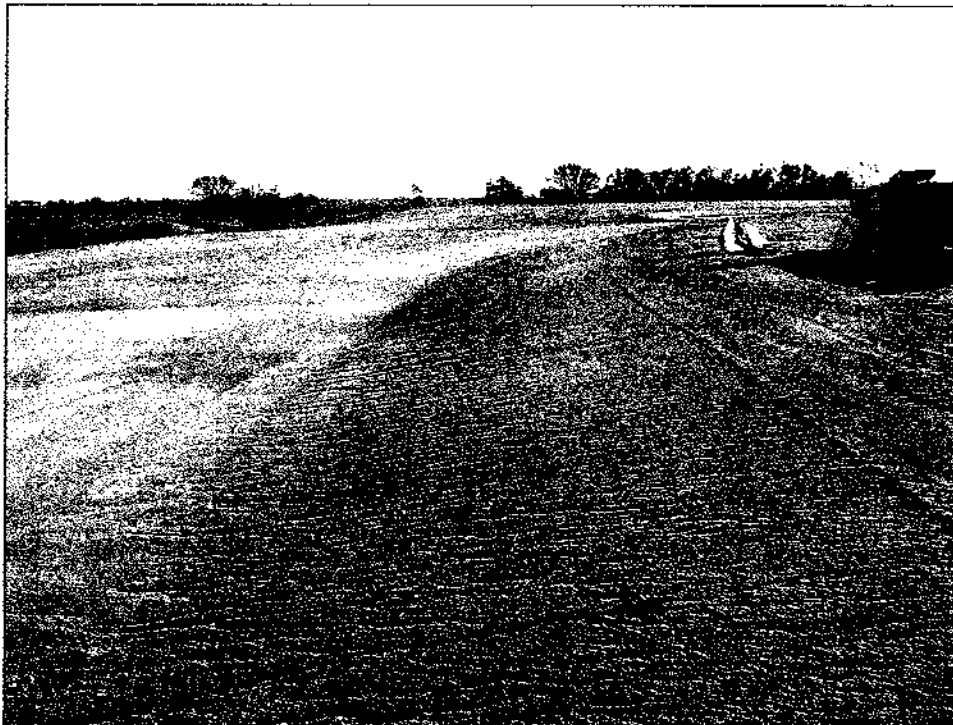


Photo 5. Pond 1 is a large seasonal stock pond located south of the existing residence. Bullfrogs, pacific chorus frogs, and Western toads were observed in Pond 1. View north.





**Photo 6.** View east of the main access road to the project that was constructed in December 2005. Photograph taken January 5, 2006.



**Photo 7.** View south of the building pad graded in December 2005. This area was not surveyed for biological resources prior to project commencement.

## **APPENDIX D – Status codes**

## **Status Codes**

### *Element Ranking*

#### **NDDDB Codes**

Each plant is given a number based on its taxonomy and accession into the natural diversity database (NDDDB).

#### **Global Ranking**

- G1 = Less than 6 viable element occurrences (EO's), OR less than 1,000 individuals, OR less than 2,000 acres.  
G2 = 6-20 EO's OR 1,000-3,000 individuals OR 2,000-10,000 acres.  
G3 = 21-100 EO's OR 3,000-10,000 individuals OR 10,000-50,000 acres.  
G4 = Apparently secure; this rank is clearly lower than G3 but factors exist to cause some concern; i.e., there is some threat, or somewhat narrow habitat.  
G5= Population or stand demonstrably secure to ineradicable due to being commonly found in the world.

#### **State Ranking**

- (Same as Global ranking, plus threat designation attached to the S-rank)  
S1 = Less than 6 viable element occurrences (EO's), OR less than 1,000 individuals, OR less than 2,000 acres.  
    S1.1 = very threatened  
    S1.2 = threatened  
    S1.3 = no current threats known  
S2 = 6-20 EO's OR 1,000-3,000 individuals OR 2,000-10,000 acres.  
    S2.1 = very threatened  
    S2.2 = threatened  
    S2.3 = no current threats known  
S3 = 21-100 EO's OR 3,000-10,000 individuals OR 10,000-50,000 acres.  
    S3.1 = very threatened  
    S3.2 = threatened  
    S3.3 = no current threats known  
S4 = Apparently secure within California; this rank is clearly lower than S3 but factors exist to cause some concern; i.e., there is some threat, or somewhat narrow habitat. NO THREAT RANK.  
S5= Population or stand demonstrably secure to ineradicable in California. NO THREAT RANK.

**California Native Plant Society's (CNPS) Lists and R-E-D Code (Rarity, Endangerment, Distribution)**

The CNPS Ranking Working Group was formed to review the ranking system in the CNPS *Inventory of Rare and Endangered Plants (Inventory)* and discuss needed modifications. This group decided to discontinue the use of the R-E-D (Rarity-Endangerment-Distribution) Code and to instead convey this information in a clearer way by modifying the CNPS List and including other information in the *Inventory*. This decision and the associated modifications were approved by the CNPS Board of Directors at their August 2005 meeting.

A new Threat Code extension has been added following the CNPS List (e.g. 1B.1, 2.2 etc.). This extension replaces the E (Endangerment) value from the R-E-D Code. The main difference is that the number coding is now reversed to reduce confusion and represent this information in parallel with the threat rankings that the California Natural Diversity Database (CNDDDB) uses. Therefore, the logic is reversed so that the lower the number, the higher the corresponding threat level.

CNPS Lists

- 1A = Presumed extinct in California.
- 1B = Rare or Endangered in California and elsewhere.
- 2 = Rare or Endangered in California, more common elsewhere.
- 3 = Plants for which we need more information (Review list).
- 4 = Plants of limited distribution (Watch list).

**New Threat Code extensions and their meanings:**

- .1 - Seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat)
- .2 - Fairly endangered in California (20-80% occurrences threatened)
- .3 - Not very endangered in California (<20% of occurrences threatened or no current threats known)

R-E-D Code (Discontinued)

**R (Rarity)**

- 1 Rare, but found in sufficient numbers and distributed widely enough that the potential for extinction is low at this time.
- 2 Distributed in a limited number of occurrences, occasionally more if each occurrence is small.
- 3 Distributed in one to several highly restricted occurrences, or present in such small numbers that it is seldom reported.

**E (Endangerment)**

- 1 Not endangered.
- 2 Endangered in a portion of its range.
- 3 Endangered throughout its range.

**D (Distribution)**

- 1 More or less widespread outside California.
- 2 Rare outside California.
- 3 Endemic to California.

# A & T ARBORISTS

P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131



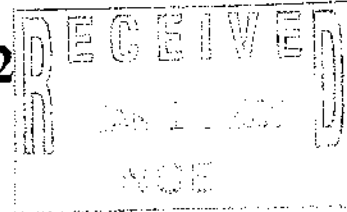
## Tree Preservation Plan

For

Destino Paso

Tentative Tract 2962

Paso Robles, CA



1-11-08

Prepared by A & T Arborists  
and Vegetation Management

Paso Robles

FEB 20 2008

Planning Division

Chip Tamagni

Certified Arborist #WE 6436-A

Steven Alvarez

Certified Arborist #WE 511-A

Paso Robles

JUN 13 2008

Planning Division

PD # \_\_\_\_\_

Building Permit # \_\_\_\_\_

### Exhibit F

Tree Preservation Plan/Arborist Report

PD 08-002 et al

(Handley)

**Project Description:** This project involves the development of Tentative Tract 2962 located along Airport Road north of Highway 46 east of Paso Robles, California. The property currently has one single family home with adjacent barns and outbuildings. Plans are to develop the property in nine phases. Project improvements include 175 casitas, three pools, three hotels, a restaurant, conference center and street widening along airport road. There are approximately 300 trees on the property. No oak trees will need to be removed for the interior of the project. Rarely for a project of this scale can all the oak trees be saved. This can be attributed to the owners desire to work around the trees as they will provide excellent aesthetics for this project. The majority of the property is open grassland with stands of blue oaks (*Quercus douglasii*) and valley oaks (*Quercus lobata*). All oak trees on the property bordering proposed improvements were inventoried. There is a steep ravine in the middle of the property that has a dense forest of blue oaks. All trees on the periphery of the ravine were inventoried. As no development is planned within this ravine, the interior trees will not be disturbed. There are plans for a small base covered walking trail down through the middle of the ravine. This trail will attempt to follow existing cattle/game trails and will not require any removals. Impacts will be negligible.

The widening of airport road will require three removals. The total diameter is 70 inches that will require 17.5 inches of replacement trees. At this time, the access road has been constructed with all tree protection fencing (at the edge of critical root zones) in place.

**Specific Mitigations Pertaining to the Project:** Many of the trees near the proposed casitas and parking areas will probably have intermittent use under the canopies. These trees should all be examined and/or trimmed for public safety and welfare. Tree #1, #59, #49, and #48, have slight critical root zone encroachments for footing excavation.

170W  
CRZ'S SO  
NO ENCROACHMENT

Normally, a five foot over-excavation is required for the soil types in this area. During the excavation near these trees, a certified arborist shall be present for proper root pruning. All four trees will require a treatment of fungicide and insecticide 30 days prior to the excavation. Trees #153, #136, #137, and #138 have critical root zones that cover a portion of the existing lake. Normally, oak trees develop oak root fungus when exposed to excess water, however, these trees have most likely adapted. Historically, the lake level has risen and fallen throughout the year. The outlet should be designed so that the level never rises to within two feet from the trunk of tree #137. There is a planned creek crossing within the critical root zone of tree #151. All fill from the approach shall be kept a minimum of 20 feet away from the trunk. Trees #154 and #155 will have some minor cut and fill within the critical root zone. These activities shall be monitored for proper root pruning.

The term "critical root zone" or CRZ is an imaginary circle around each tree. The radius of this circle (in feet) is equal to the diameter (in inches) of the tree. For example, a 10 inch diameter tree has a critical root zone with a ten foot radius from the tree. Working within the CRZ usually requires mitigations and/or monitoring by a certified arborist.

All trees potentially impacted by this project are numbered and identified on both the grading plan and the spreadsheet. Trees are numbered on the grading plans. Tree

protection fencing is shown on the preliminary site plan. Critical root zones and drip lines are shown on the plans.

If pruning is necessary for building, road or driveway clearance, removal of limbs larger than 6 inches in diameter will require a city approved permit along with a deposit paid in advance (to the City of Paso Robles). The city will send out a representative to approve or deny the permit. Only a maximum of 25% of the live crown may be removed. At this time, there is no apparent clearance pruning needed for any of the trees.

### **Tree Rating System**

A rating system of 1-10 was used for visually establishing the general health and condition of each tree on the spreadsheet. The rating system is defined as follows:

<u>Rating</u>	<u>Condition</u>
0	Deceased
1	Evidence of massive past failures, extreme disease and is in severe decline.
2	May be saved with attention to class 4 pruning, insect/pest eradication and future monitoring.
3	Some past failures, some pests or structural defects that may be mitigated by class IV pruning.
4	May have had minor past failures, excessive deadwood or minor structural defects that can be mitigated with pruning.
5	Relatively healthy tree with little visual, structural and/or pest defects and problems.
6	Healthy tree that probably can be left in its natural state.
7-9	Has had proper arboricultural pruning and attention or have no apparent structural defects.
10	Specimen tree with perfect shape, structure and foliage in a protected setting (i.e. park, arboretum).

Aesthetic quality on the spreadsheet is defined as follows:

- **poor** - tree has little visual quality either due to severe suppression from other trees, past pruning practices, location or sparse foliage
- **fair** - visual quality has been jeopardized by utility pruning/obstructions or partial suppression and overall symmetry is average
- **good** - tree has good structure and symmetry either naturally or from prior pruning events and is located in an area that benefits from the trees position
- **excellent** - tree has great structure, symmetry and foliage and is located in a premier location. Tree is not necessarily over mature.

The following mitigation measures/methods must be fully understood and followed by anyone working within the critical root zone of any native tree. Any necessary clarification will be provided by us (the arborists) upon request.

It is the responsibility of the **owner or project manager** to provide a copy of this tree protection plan to any and all contractors and subcontractors that work within the critical root zone of any native tree and confirm they are trained in maintaining fencing, protecting root zones and conforming to all tree protection goals. It is highly recommended that each contractor sign and acknowledge these tree protection plans.

Any future plans (within the critical root zone) in the project will need Project Arborist review and implementation of potential mitigation measures before any said plans can proceed.

**Fencing:** The proposed fencing is shown in orange ink on the grading plan. It must be a minimum of 4' high chain link, snow or safety fence staked (with t posts 10 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 up before any construction or earth moving begins. The owner shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. If the 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 saved tree. Weather proof signs shall be permanently posted on the fences every 50 feet, with the following information:

<p><b>Tree Protection Zone</b> No personnel, equipment, materials, and vehicles are allowed Do not remove or re-position this fence without calling: A &amp; T Arborists 434-0131</p>
---

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

**Equipment Operation:** Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Also there is to be no parking of equipment or personal vehicles in these areas. All areas behind fencing are off limits unless pre-approved by the arborist.

**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.

**Construction Materials And Waste:** No liquid or solid construction waste shall be dumped on the ground within the critical root zone of any native tree. The critical root zone areas are not for storage of materials either.



**Arborist Monitoring:** An arborist shall be present for selected activities (trees identified on spreadsheet and items bulleted below). The monitoring does not necessarily have to be continuous but observational at times during these activities. It is the responsibility of the **owner(s) or their designee** to inform us prior to these events so we can make arrangements to be present. All monitoring will be documented on the field report form which will be forwarded to the project manager and the City of Paso Robles Planning Department.

- pre-construction fence placement inspection
- All trees discussed in the specific mitigations and designated on the spreadsheets

**Pre-Construction Meeting:** An on-site pre-construction meeting with the Arborist(s), Owner(s), Planning Staff, and the earth moving team shall be required for this project. Prior to final occupancy, a letter from the arborist(s) 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(s) 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.

**Pruning** A trained arborist shall perform all pruning. No pruning shall take more than 25% of the live crown of any native tree.

**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. It is the owner's responsibility to notify the landscape contractor regarding this mitigation.

**Utility Placement:** All utilities, sewer and storm drains shall be placed down the roads and driveways and outside of the critical root zones. There is no trenching shown on the plans, however, there is sufficient room to route all utilities/storm drains out of the CRZ of the trees. Any encroachment into any crz will require additional mitigation and/or monitoring in addition to arborist approval.

**Fertilization and Cultural Practices:** As the project moves toward completion, the arborist(s) may suggest either fertilization and/or mycorrhiza applications that will benefit tree health. Mycorrhiza offers several benefits to the host plant, including faster growth, improved nutrition, greater drought resistance, and protection from pathogens.

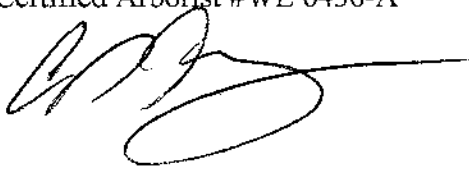
The included spreadsheet includes trees listed by number, species and multiple stems if applicable, scientific name, diameter and breast height (4.5'), condition (scale from poor to excellent), status (avoided, impacted, removed, exempt), percent of critical root zone impacted, mitigation required (fencing, root pruning, monitoring), construction impact (trenching, grading), recommended pruning, aesthetic value and individual tree notes along with canopy spread.

If all the above mitigation measures are followed, we feel there will be no long-term significant impacts to the native trees.

Please let us know if when we can provide future assistance to you for this project.

Steven G. Alvarez  
Certified Arborist #WC 0511

Chip Tamagni  
Certified Arborist #WE 6436-A

A handwritten signature in black ink, appearing to read 'CT', with a long horizontal line extending to the right.

TREE PROTECTION SPREAD SHEET

1	2	3	4	5	6	7	8	9	10	11	12	13	14
TREE #	TREE SPECIES	SCIENTIFIC NAME	TRUNK DBH	TREE CONDITION	CONST STATUS	CRZ % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	AESTH. VALUE	FIELD NOTES	NS EW
1	BO	Q. doug.	30	2	I	10%	GR	F, M	YES	I	FAIR	cavity	75/80
2	BO	Q. doug.	30	2	A	0%		fencing	NO	I	POOR	dieback	50/49
3	BO	Q. doug.	16	4	A	0%		fencing	NO	I	GOOD	embed wire	20 w
4	BO	Q. doug.	17	5	A	0%		fencing	NO		GOOD	embed wire	22 w
5	BO	Q. doug.	13	5	A	0%		fencing	NO		GOOD		10 w
6	BO	Q. doug.	5	4	A	0%		fencing	NO		FAIR		9 w
7	BO	Q. doug.	6	4	A	0%		fencing	NO		GOOD		8 w
8	BO	Q. doug.	9	5	A	0%		fencing	NO	I	GOOD		5 w
9	BO	Q. doug.	8	4	A	0%		fencing	NO		GOOD		4 w
10	BO	Q. doug.	4	5	A	0%		fencing	NO		GOOD		3 w
11	BO	Q. doug.	2	4	A	0%		fencing	NO		GOOD		2 w
12	BO	Q. doug.	22	6	A	0%		fencing	NO	II	EXCEL.		25 w
13	BO	Q. doug.	14	2	A	0%		fencing	NO		FAIR	split trunk	25 w
14	BO	Q. doug.	8	5	A	0%		fencing	NO		GOOD		16 w
15	BO	Q. doug.	17	5	A	0%		fencing	NO		EXCEL.		12 w
16	VO	Q. lobata	40	2	A	0%		fencing	NO		FAIR	hollow cavity	25/33
17	BO	Q. doug.	38	6	A	0%		fencing	NO	II	EXCEL.		63/59
18	VO	Q. lobata	46	2	R	100%	GR	None	NO		POOR	declining	22 e
19	VO X 4	Q. lobata	18	5	R	100%	GR	None	NO		GOOD		10/12
20	VO	Q. lobata	6	5	R	100%	GR	None	NO		GOOD		8/7

1 = TREE #: MOSTLY CLOCKWISE FROM DUE NORTH  
 2 = TREE TYPE: COMMON NAME IE: W.O. = WHITE OAK  
 3 = SCIENTIFIC NAME  
 4 = TRUNK DIAMETER @ 48"  
 5 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT  
 6 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL  
 7 = CRZ: PERCENT OF IMPACTED CRITICAL ROOT ZONE  
 8 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TREENCHING  
 9 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING.  
 10 = ARBORIST MONITORING REQUIRED: YES/NO  
 11 = PRESCRIBED PRUNING: CLASS 1-4  
 12 = AESTHETIC VALUE  
 13 = FIELD NOTES  
 14 = NORTH SOUTH/EAST WEST CANOPY SPREAD

12/19/2007

TREE PROTECTION SPREAD SHEET

1	2	3	4	5	6	7	8	9	10	11	12	13	14
TREE #	TREE SPECIES	SCIENTIFIC NAME	TRUNK DBH	TREE CONDITION	CONST STATUS	CRZ % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	AESTH. VALUE	FIELD NOTES	NS EW
21	BO	Q. doug.	29	2	A	0%		fencing	NO	II	GOOD	cavity	41/18
22	BO	Q. doug.	23	5	A	0%		fencing	NO		GOOD		30 n
23	BO X 2	Q. doug.	14	4	A	0%			NO		GOOD		12 n
24	BO	Q. doug.	14	5	A	0%			NO		EXCEL.		15 n
25	BO	Q. doug.	8	4	A	0%			NO		GOOD		8 n
26	BO	Q. doug.	16	5	A	0%			NO		GOOD		19 n
27	BO	Q. doug.	10	4	A	0%			NO		FAIR	suppressed	22 n
28	BO	Q. doug.	16	3	A	0%			NO		FAIR	major deadwood	28 n
29	BO	Q. doug.	6	3	A	0%			NO		FAIR		6 n
30	BO	Q. doug.	17	4	A	0%			NO		GOOD		21 n
31	BO	Q. doug.	13	4	A	0%			NO		GOOD		27 n
32	BO	Q. doug.	13	4	A	0%			NO		FAIR		20 n
33	BO	Q. doug.	18	4	A	0%			NO		FAIR		20 n
34	BO	Q. doug.	12	4	A	0%			NO		FAIR		19 n
35	BO	Q. doug.	15	5	A	0%			NO		GOOD		21 n
36	BO	Q. doug.	25	6	A	0%			NO		GOOD		15 n
37	BO	Q. doug.	28	5	A	0%			NO		GOOD		22 n
38	BO	Q. doug.	6	3	A	0%			NO		FAIR		16 n
39	BO	Q. doug.	6	3	A	0%			NO		FAIR	suppressed	8 n
40	BO	Q. doug.	16	4	A	0%			NO		GOOD		26 n

1 = TREE #: MOSTLY CLOCKWISE FROM DUE NORTH  
 2 = TREE TYPE, COMMON NAME (E.W.O. = WHITE OAK)  
 3 = SCIENTIFIC NAME  
 4 = TRUNK DIAMETER @ 4'6"  
 5 = TREE CONDITION, 1 = POOR, 10 = EXCELLENT  
 6 = CONSTRUCTION STATUS, AVOIDED, IMPACTED, REMOVAL  
 7 = CRZ PERCENT OF IMPACTED CRITICAL ROOT ZONE  
 8 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING  
 9 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,  
 10 = ARBORIST MONITORING REQUIRED: YES/NO  
 11 = PERSCRIBED PRUNING CLASS 1-4  
 12 = AESTHETIC VALUE  
 13 = FIELD NOTES  
 14 = NORTH SOUTH/ EAST WEST CANOPY SPREAD

TREE PROTECTION SPREAD SHEET

1	2	3	4	5	6	7	8	9	10	11	12	13	14
TREE #	TREE SPECIES	SCIENTIFIC NAME	TRUNK DBH	TREE CONDITION	CONST STATUS	CRZ % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	AESTH. VALUE	FIELD NOTES	NS EW
41	BO	Q. doug.	12	3	A	0%			NO		FAIR	suppressed	22 n
42	BO	Q. doug.	14	4	A	0%			NO		GOOD		20 n
43	BO	Q. doug.	14	4	A	0%			NO		GOOD		20 n
44	BO	Q. doug.	10	4	A	0%			NO		FAIR		15 n
45	BO	Q. doug.	12	4	A	0%			NO		GOOD		15 n
46	BO	Q. doug.	27	4	A	0%			NO		EXCEL.		25 n
47	BO	Q. doug.	10	4	A	0%		fencing	NO	I	GOOD		15/18
48	BO	Q. doug.	25	4	I	15%	GR	F,M	YES	I	GOOD		25/33
49	BO	Q. doug.	22	5	I	10%	GR	F,M	YES	I	EXCEL.		50/45
50	BO	Q. doug.	14	5	A	0%		fencing	NO	I	EXCEL.		30/30
51	BO	Q. doug.	6	4	A	0%			NO		GOOD		8/10
52	BO	Q. doug.	5	4	A	0%			NO		GOOD		6/10
53	BO	Q. doug.	18	5	A	0%			NO		EXCEL.		25/28
54	BO	Q. doug.	20	4	A	0%			NO		FAIR		26/30
55	BO	Q. doug.	7	5	A	0%			NO		GOOD		5/5
56	BO	Q. doug.	9	4	A	0%			NO		GOOD		15/15
57	BO	Q. doug.	2	4	A	0%			NO		GOOD		4/4
58	BO	Q. doug.	8	6	A	0%		fencing	NO	I	GOOD		20/18
59	BO	Q. doug.	17	5	I	10%	GR	F,M	YES	I	GOOD	mistletoe	25/27
60	BO	Q. doug.	35	2	I	15%	GR	F,M	YES	IV	GOOD	past failures	35/40

1 = TREE #, MOSTLY CLOCKWISE FROM DUE NORTH  
 2 = TREE TYPE: COMMON NAME (E.W.O. = WHITE OAK)  
 3 = SCIENTIFIC NAME  
 4 = TRUNK DIAMETER @ 4ft  
 5 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT  
 6 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL  
 7 = CRZ: PERCENT OF IMPACTED CRITICAL ROOT ZONE  
 8 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING  
 9 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,  
 10 = ARBORIST MONITORING REQUIRED: YES/NO  
 11 = PERSCRIBED PRUNING: CLASS 1-4  
 12 = AESTHETIC VALUE  
 13 = FIELD NOTES  
 14 = NORTH SOUTH/EAST WEST CANOPY SPREAD

12/19/2007

TREE PROTECTION SPREAD SHEET

1	2	3	4	5	6	7	8	9	10	11	12	13	14
TREE #	TREE SPECIES	SCIENTIFIC NAME	TRUNK DBH	TREE CONDITION	CONST STATUS	CRZ % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	AESTH. VALUE	FIELD NOTES	NS EW
61	BO	Q. doug.	12	5	A	0%			NO	I	EXCEL.		22 n
62	BO	Q. doug.	12	3	A	0%			NO		FAIR	suppressed	18 n
63	BO	Q. doug.	7	3	A	0%			NO		FAIR	suppressed	16 n
64	BO	Q. doug.	19	5	A	0%			NO		FAIR		24 n
65	BO	Q. doug.	14	5	A	0%			NO		FAIR		20 n
66	BO	Q. doug.	5	5	A	0%			NO		FAIR		8 n
67	BO	Q. doug.	17	6	A	0%			NO		GOOD		20/20
68	BO	Q. doug.	7	4	A	0%			NO		FAIR		10 n
69	BO	Q. doug.	15	4	A	0%			NO		GOOD		19 n
70	BO	Q. doug.	15	4	A	0%			NO		GOOD		19 n
71	BO	Q. doug.	26	3	A	0%			NO		FAIR		25 n
72	BO	Q. doug.	30	4	A	0%			NO		FAIR		15 n
73	BO	Q. doug.	13	3	A	0%			NO		FAIR		12 n
74	BO	Q. doug.	14	4	A	0%			NO		GOOD		18 n
75	BO	Q. doug.	13	4	A	0%			NO		GOOD		18 n
76	BO	Q. doug.	23	3	A	0%			NO		FAIR		10 n
77	BO	Q. doug.	15	4	A	0%			NO		GOOD		12 n
78	BO	Q. doug.	15	4	A	0%			NO		GOOD		15 n
79	BO	Q. doug.	15	4	A	0%			NO		GOOD		15 n
80	BO	Q. doug.	15	4	A	0%			NO		GOOD		22 n

1 = TREE #, MOSTLY CLOCKWISE FROM DUE NORTH  
 2 = TREE TYPE: COMMON NAME (E.W.O. = WHITE OAK)  
 3 = SCIENTIFIC NAME  
 4 = TRUNK DIAMETER @ 4'5"  
 5 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT  
 6 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL  
 7 = CRZ PERCENT OF IMPACTED CRITICAL ROOT ZONE  
 8 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING  
 9 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING  
 10 = ARBORIST MONITORING REQUIRED: YES/NO  
 11 = PRESCRIBED PRUNING: CLASS 1-4  
 12 = AESTHETIC VALUE  
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TREE PROTECTION SPREAD SHEET

1	2	3	4	5	6	7	8	9	10	11	12	13	14
TREE #	TREE SPECIES	SCIENTIFIC NAME	TRUNK DBH	TREE CONDITION	CONST STATUS	CRZ % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	AESTH. VALUE	FIELD NOTES	NS EW
81	BO	Q. doug.	24	5	A	0%			NO		GOOD		17 s
82	BO	Q. doug.	15	5	A	0%			NO		GOOD		20 s
83	BO	Q. doug.	13	5	A	0%			NO		GOOD	mistletoe	18 s
84	BO	Q. doug.	18	5	A	0%			NO		GOOD	mistletoe	20 s
85	BO	Q. doug.	11	3	A	0%			NO		FAIR		13 s
86	BO	Q. doug.	17	4	A	0%			NO		GOOD		14 s
87	BO	Q. doug.	7	3	A	0%			NO		FAIR	suppressed	6 s
88	BO	Q. doug.	20	4	A	0%			NO		FAIR	suppressed	8 s
89	BO	Q. doug.	14	3	A	0%			NO		GOOD		10 s
90	BO	Q. doug.	19	4	A	0%			NO		FAIR		15 s
91	BO	Q. doug.	8	3	A	0%			NO		FAIR		12 s
92	BO	Q. doug.	12	5	A	0%			NO		GOOD		17 s
93	BO	Q. doug.	6	4	A	0%			NO		GOOD		6 s
94	BO	Q. doug.	18	4	A	0%			NO		GOOD		12 s
95	BO	Q. doug.	14	4	A	0%			NO		GOOD		12 s
96	BO	Q. doug.	8	2	A	0%			NO		POOR		5 s
97	BO	Q. doug.	22	4	A	0%			NO		FAIR		15 s
98	BO	Q. doug.	8	3	A	0%			NO		FAIR		12 s
99	BO	Q. doug.	22	5	A	0%			NO		GOOD		18 s
100	BO	Q. doug.	5	4	A	0%			NO		GOOD		6 s

1 = TREE #, MOSTLY CLOCKWISE FROM DUE NORTH  
 2 = TREE TYPE: COMMON NAME (E.W.O. = WHITE OAK)  
 3 = SCIENTIFIC NAME  
 4 = TRUNK DIAMETER @ 48"  
 5 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT  
 6 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL  
 7 = CRZ: PERCENT OF IMPACTED CRITICAL ROOT ZONE  
 8 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING  
 9 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,  
 10 = ARBORIST MONITORING REQUIRED: YES/NO  
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12/19/2007

TREE PROTECTION SPREAD SHEET

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TREE #	TREE SPECIES	SCIENTIFIC NAME	TRUNK DBH	TREE CONDITION	CONST STATUS	CRZ % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	AESTH. VALUE	FIELD NOTES	NS EW
101	BO	Q. doug.	4	2	A	0%			NO		FAIR	suppressed	6 s
102	BO	Q. doug.	8	3	A	0%			NO		FAIR		10 s
103	BO	Q. doug.	10	3	A	0%			NO		FAIR		12 s
104	BO	Q. doug.	14	4	A	0%			NO		GOOD		15 s
105	BO	Q. doug.	16	5	A	0%			NO		GOOD		12 s
106	BO	Q. doug.	15	6	A	0%			NO		GOOD		15 s
107	BO	Q. doug.	18	5	A	0%			NO		GOOD		15 s
108	BO	Q. doug.	10	3	A	0%			NO		FAIR		18 s
109	BO	Q. doug.	12	4	A	0%			NO		FAIR		15 s
110	BO	Q. doug.	9	3	A	0%			NO		FAIR		8 s
111	BO	Q. doug.	12	4	A	0%			NO		FAIR		10 s
112	BO	Q. doug.	10	4	A	0%			NO		FAIR		8 s
113	BO	Q. doug.	15	4	A	0%			NO		FAIR		12 s
114	BO	Q. doug.	14	3	A	0%			NO		FAIR		13 s
115	BO	Q. doug.	13	5	A	0%			NO		FAIR		17 s
116	BO	Q. doug.	9	3	A	0%			NO		FAIR	suppressed	5 s
117	BO	Q. doug.	12	4	A	0%			NO		FAIR		10 s
118	BO	Q. doug.	14	5	A	0%			NO		GOOD		12 s
119	BO	Q. doug.	8	2	A	0%			NO		FAIR		6 s
120	BO	Q. doug.	18	5	A	0%			NO		GOOD		22 s

1 = TREE # MOSTLY CLOCKWISE FROM DUE NORTH  
 2 = TREE TYPE, COMMON NAME IE W.O.= WHITE OAK  
 3= SCIENTIFIC NAME  
 4 = TRUNK DIAMETER @ 46"  
 5 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT  
 6 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL  
 7 = CRZ: PERCENT OF IMPACTED CRITICAL ROOT ZONE  
 8 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING  
 9 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,  
 10 = ARBORIST MONITORING REQUIRED: YES/NO  
 11 = PERSCRIBED PRUNING: CLASS 1-4  
 12 = AESTHETIC VALUE  
 13 = FIELD NOTES  
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TREE #	TREE SPECIES	SCIENTIFIC NAME	TRUNK DBH	TREE CONDITION	CONST STATUS	CRZ % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	AESTH. VALUE	FIELD NOTES	NS EW
121	BO	Q. doug.	36	4	A	0%			NO		EXCEL.		55/60
122	BO	Q. doug.	29	7	A	0%			NO	II	GOOD		45/55
123	BO	Q. doug.	9	4	A	0%			NO		FAIR		10 s
124	BO	Q. doug.	9	4	A	0%			NO		FAIR		18 s
125	BO	Q. doug.	16	4	A	0%		fencing	NO		GOOD	embedded wire	20 s
126	BO	Q. doug.	7	4	A	0%			NO		FAIR		12 s
127	BO	Q. doug.	13	4	A	0%			NO		FAIR		16 s
127	BO	Q. doug.	6	3	A	0%			NO		FAIR	suppressed	10 s
129	BO	Q. doug.	13	3	A	0%			NO		FAIR	mistletoe	10 s
130	BO	Q. doug.	12	4	A	0%			NO		FAIR		18 s
131	BO	Q. doug.	13	5	A	0%			NO		GOOD		18 s
132	BO	Q. doug.	16	5	A	0%			NO		GOOD		25 s
133	BO	Q. doug.	15	1	A	0%			NO		POOR	declining	6 s
134	BO	Q. doug.	26	5	A	0%			NO		GOOD		25 s
135	BO	Q. doug.	18	4	A	0%		fencing	NO		FAIR	suppressed	18 s
136	BO	Q. doug.	33	5	A	0%		fencing	NO	II	EXCEL.		56/60
137	BO	Q. doug.	32	4	A	0%		fencing	NO		GOOD		40 45
138	BO	Q. doug.	32	4	I	5%	GR	F.M	YES		GOOD		35/37
139	BO	Q. doug.	26	4	A	0%		fencing	NO		FAIR	mistletoe	30/45
140	BO	Q. doug.	26	3	A	0%		fencing	NO		FAIR	mistletoe	30/45

1 = TREE #; MOSTLY CLOCKWISE FROM DUE NORTH  
 2 = TREE TYPE; COMMON NAME IE. W.O. = WHITE OAK  
 3 = SCIENTIFIC NAME  
 4 = TRUNK DIAMETER @ 4"  
 5 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT  
 6 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL  
 7 = CRZ: PERCENT OF IMPACTED CRITICAL ROOT ZONE  
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12/19/2007

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1	2	3	4	5	6	7	8	9	10	11	12	13	14
TREE #	TREE SPECIES	SCIENTIFIC NAME	TRUNK DBH	TREE CONDITION	CONST STATUS	CRZ % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	AESTH. VALUE	FIELD NOTES	NS
141	VO	<i>Q. lobata</i>	13	3	A	0%		fencing	NO		FAIR	suppressed	15/10
142	VO	<i>Q. lobata</i>	7	3	A	0%		fencing	NO		FAIR	suppressed	10/12
143	VO	<i>Q. lobata</i>	26	4	A	0%		fencing	NO		GOOD		40/46
144	VO	<i>Q. lobata</i>	26	4	A	0%		fencing	NO		GOOD		60/55
145	VO	<i>Q. lobata</i>	13	4	A	0%		fencing	NO		FAIR		20/22
146	VO	<i>Q. lobata</i>	13	4	A	0%		fencing	NO		FAIR		23/20
147	VO	<i>Q. lobata</i>	13	4	A	0%		fencing	NO		GOOD		25/30
148	VO	<i>Q. lobata</i>	22	4	A	0%		fencing	NO		GOOD		25/30
149	VO	<i>Q. lobata</i>	13	3	A	0%		fencing	NO		FAIR		12/12
150	VO	<i>Q. lobata</i>	25	4	A	0%		fencing	NO		GOOD		25/25
151	VO	<i>Q. lobata</i>	30	4	I	20%	FILL	F,M	YES		EXCEL.		50/60
152	VO	<i>Q. lobata</i>	12	4	A	0%		fencing	NO		GOOD		11/15
153	VO	<i>Q. lobata</i>	30	5	I	20%	GR	F,M	YES	II	GOOD		60/50
154	BO	<i>Q. doug.</i>	31	6	I	10%	GR	F,M	YES	II	EXCEL.		60/50
155	BO	<i>Q. doug.</i>	39	6	I	5%	GR	FM	YES	II	EXCEL.		50/50

1 = TREE # MOSTLY CLOCKWISE FROM DUE NORTH  
 2 = TREE TYPE: COMMON NAME IE. W.O. = WHITE OAK  
 3 = SCIENTIFIC NAME  
 4 = TRUNK DIAMETER @ 46"  
 5 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT  
 6 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL  
 7 = CRZ: PERCENT OF IMPACTED CRITICAL ROOT ZONE  
 8 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING  
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 10 = ARBORIST MONITORING REQUIRED: YES/NO  
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CITY OF EL PASO DE ROBLES
"The Pass of the Oaks"

COMMUNITY DEVELOPMENT DEPARTMENT
OAK TREE REMOVAL PERMIT

PERMIT NUMBER: \_\_\_\_\_ DATE ISSUED: \_\_\_\_\_

NAME OF APPLICANT: Handley PHONE NO: \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

LOCATION AND DESCRIPTION OF OAK TREE(S): Bordering airport road
in front of PR 04-0133

Pursuant to Section 10.01 (Oak Tree Preservation) of Title 10 of the Paso Robles Municipal Code, the property-owner is hereby requesting one of the following:

- A. Removal of Oak Tree(s) where no Development Application is pending
B. Removal of Oak Tree(s) clearly dead or diseased beyond correction
C. [X] Removal of 3 Oak Tree(s) as part of a Development Application
D. Emergency Removal of Oak Tree (s)

As recommended and identified in the Arborist Report prepared for this Request for Removal by
Chip Tomagni (ISA Certified Arborist) dated 12-20-07

By: \_\_\_\_\_
Community Development Director or authorized representative

Council Action: \_\_\_\_\_ Date: \_\_\_\_\_ Resolution No.: \_\_\_\_\_

**OAK TREE REPLACEMENT AGREEMENT**

I hereby agree to plant replacement Oak trees of the same species as those removed at the replacement ratio of 25% of the combined diameter of the removed trees. Each replacement tree shall be a minimum 24-inch box specimen with a 1½ inch minimum trunk diameter per Section 10.01.050 F of Ordinance No 835 N.S.

Total Diameter of Oak Trees Authorized for Removal: 20 inches per resolution # \_\_\_\_\_

Oak Trees to be Planted:

<u>12</u>	(number)	<u>Overcup lobata</u>	species	<u>1.5</u>	size(s)
_____	(number)	_____	species	_____	size(s)
_____	(number)	_____	species	_____	size(s)
_____	(number)	_____	species	_____	size(s)

I hereby agree that the Oak Trees will be planted per City Standard Detail and Specification L-4 (except that deep root barriers shall not be required if the trees are not adjacent to sidewalk areas):

- In conjunction with authorized building permit and prior to issuance of the certificate of occupancy.
- In conjunction with a subdivision and prior to acceptance of the final improvements by the City Council for the tract or parcel.
- In compliance with the attached Oak Tree replacement plan containing recommendations of the project arborist for tree placement, and within ninety (90) days from the date of issuance of this permit. A letter providing verification of compliance with tree placement recommendations from the project arborist will be submitted to City staff within fourteen (14) days of planting.
- I hereby acknowledge that I need to post a tree preservation security with the City in order to ensure that the replacement trees are properly established, per the conditions of my approval for removal.

I hereby:

- Intend to plant the replacements trees on my property located at: \_\_\_\_\_.
- Request to arrange for the replacement trees to be located on public property. I will provide a paid receipt from a local nursery for the value of the required sizes and species of trees to City staff within ninety (90) days from the date of issuance of this permit.

X  
\_\_\_\_\_  
Applicant's Signature

Date: \_\_\_\_\_

## **Wetland Delineation**

for

**Destino Paso  
Tentative Tract Map 2962**

**APN 025-436-029, -030**

**Airport Road  
City of El Paso de Robles  
San Luis Obispo County, California**



Prepared for

**Jerry and Kathie Handley**  
c/o North Coast Engineering  
725 Creston Road, Suite B  
Paso Robles, CA 93446

by

**ALHOUSE AND MEADE, INC.**  
**BIOLOGICAL AND ENVIRONMENTAL SERVICES**  
1875 Wellsona Road  
Paso Robles, CA 93446  
(805) 467-1041

**June 2008**

504.02

**Exhibit G**  
Wetland Delineation  
PD 08-002, et al  
(Handley)

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## Introduction

### Purpose

This report provides a delineation of potential jurisdictional wetlands and waters (according to federal and state standards) on an approximately 40-acre property consisting of two contiguous parcels on Airport Road (APN 025-436-029 and -030). The property consists of irrigated pasture, annual grassland, blue oak woodland, seasonal wetland, and riparian habitat. The property, owned by the Handley family, is located on west-facing hills just east of Huerhuero Creek, at the northeast east edge of the City of El Paso de Robles, San Luis Obispo County, California. This wetland delineation provides necessary information for the project planners, the United States Army Corps of Engineers, the California Department of Fish and Game, and the City of El Paso de Robles in decisions regarding the project.

### Project location and description

The property is located on the east side of Airport Road, north of Highway 46 East in the northeastern corner of the City of Paso Robles (Exhibit C, Figure 1). Approximate coordinates for the center of the property are N35° 39' 5" / W120° 38' 13" in the Paso Robles United States Geological Survey (USGS) 7.5 minute quadrangle (Exhibit C, Figure 2). Elevation varies from approximately 720 to 825 feet above sea level.

The subject site is composed of two existing parcels of ±20 acres each that are currently zoned parks and open space. The proposed project includes development of a hotel complex consisting of two 50-room hotels, a 16-room boutique hotel, 175 casitas, restaurant, spa, recreation area with pool, office management space, and a conference/wedding space.

The proposed project would be a phased development, with nine phases constructed over the course of several years. Beijo Way at the north end of the property, would be the main entrance to the development from Airport Road. A secondary access from Airport Road is located in the southern half of the property.. Site improvements include connecting to the public sewer and water systems and widening Airport Road with a turn lane and north-bound acceleration lane. Stormwater and runoff would be collected in existing and proposed lakes and bioswales where sediments and other contaminants would be settled and filtered prior to release through storm drains into Huerhuero Creek.



## Soils

The United States Department of Agriculture (USDA) Soil Survey of Soil Survey of San Luis Obispo County, California, Paso Robles Area (1984) delineates four soil map units on the property (Exhibit C, Figure 3): Arbuckle-Positas complex, 9 to 15 percent slopes (102); Arbuckle-Positas complex, 30 to 50 percent slopes (104); Arbuckle-San Ysidro complex, 2 to 9 percent slopes (106); and Xerofluvents-Riverwash association.. Map units typically encompass one or two dominant soils, which cover more than 50 percent of the mapped area, and one to several included soils, which occur in small patches that are not differentiated in mapping.

**Arbuckle-Positas complex, 9 to 15 percent slopes (102)** consists of approximately 40 percent Arbuckle fine sandy loam and 30 percent Positas coarse sandy loam. Both are very deep, well drained soils formed in alluvium from mixed rocks. Arbuckle fine sandy loams have moderately slow permeability and moderate to high available water capacity. Positas coarse sandy loams have very slow permeability and moderate to high available water capacity. Also included in this map unit are areas of Greenfield fine sandy loam, Cropley clay, and Hanford fine sandy loam. This map unit is mapped on flat areas on the west side of the property.

**Arbuckle-Positas complex, 30 to 50 percent slopes (104)** consists of approximately 40 percent Arbuckle fine sandy loam and 30 percent Positas coarse sandy loam. These soil phases are very similar to Arbuckle-Positas soils on 9 to 15 percent slopes; they are very deep, well drained, and have a moderate to high available water capacity. Included with this complex in mapping are 15 percent Shimmon loam on north slopes, 10 percent soil similar to Positas coarse sandy loam except with a very gravelly sandy clay subsoil, and 5 percent small areas of Ayar silty clay, Balcom loam, Greenfield fine sandy loam, Linne Shaly clay loam, Nacimiento silty clay loam, and Badland. This map unit is mapped on the west-facing steeper slopes in the north-half of the property, as well as a drainage with oak woodland canopy in the center of the property.

**Arbuckle-San Ysidro complex, 2 to 9 percent slopes (106)** consists of approximately 40 percent Arbuckle fine sandy loam and 20 percent San Ysidro loam. Arbuckle fine sandy loam is a very deep, well drained soil formed in alluvium from mixed rocks. It has a moderately slow permeability and a moderate to high available water capacity. San Ysidro soils are very deep soils also formed in alluvium. San Ysidro loam is moderately well drained with very slow permeability and moderate to high available water capacity. Also included in this map unit are areas of Greenfield fine sandy loam, Hanford fine sandy loam, Cropley clay, Rincon clay loam, and Ryer clay loam. The Arbuckle-San Ysidro complex is mapped on the terrace at the northeast end of the property, supporting annual grassland habitat.

**Xerofluvents-Riverwash association (212)** consists of soils and barren areas on flood plains. The complex consists of approximately 50 percent xerofluvents and 30 percent riverwash. Xerofluvents occur on the flood plains and generally flood twice every four years. Riverwash is on barren areas in and along stream channels, flooding annually. Included in this map unit are small areas of Elder loam, Metz loamy sand, and Tujunga

shallow water at some time during the growing season of each year.”  
(Cowardin et al. 1979:3).

The key difference in the federal and state definitions is that for state wetlands, under some circumstances, only one of the three criteria need be met.

In order to establish the approximate location of hydric soils, four soil sample sites were selected based on geomorphology and hydrology. Two sites were located at the margins areas where hydrophytic plants were dominant to determine whether adequate moisture was present to develop hydric soil conditions. The other pits were located in nearby corresponding sites where upland vegetation was dominant to provide baseline data for soil conditions in presumed upland (non-hydric) conditions. Our field work focused on determining the extent of potential wetland conditions within drainages and on delineating the extent of wetland habitat on site.

Hand-dug soil pits were excavated to a minimum of 18 inches or until clear hydric indicators or standing water was reached. If hydric indicators were strong at this depth, investigations into deeper horizons were not required. Soil samples were examined in the field with a hand lens. Sites were described for selected soil morphological characteristics such as texture, moist color, horizonation, and presence/absence of redoximorphic features. Topography, landform, landscape position, and other site features, including slope, aspect and drainage patterns, were noted at each site. Each site evaluation was recorded on a 2006 USACE Routine Wetland Determination Data Form—Arid West Region. Hydric soil indicators were recognized on the basis of soil characteristics verified in the USDA-NRCS publication, *Field Indicators of Hydric Soils in the United States* (version 6.0, 2006). The indicator status of plants was confirmed by referring to the *National List of Plant Species that Occur in Wetlands: 1988 National Summary* (Reed). The 1988 National List is the current USACE-approved plant list for determining probability of a plant to occur in a wetland. The 1987 Manual and the 2006 Arid West Supplement provided guidelines and methods.

Field work was conducted on June 4, 5, 12, and 19, 2008 by Meg Perry, Naomi Oyler, and Daniel Meade, Ph.D. Existing plant material on the site was identifiable to species. Locations of all four formally described soil sample sites are recorded on the Wetland Delineation Map (Exhibit A). The Routine Wetland Determination Data Forms used for each sample site are included as Exhibit B.

TABLE 1. SAMPLE SITES. Four soil sampling pits were evaluated on the property in June 2008.

Site	Date	Location	Wetland	Wetland Indicators
1	6-4-08	Northeast drainage, hydrophytic vegetation	Federal and State wetland	<ul style="list-style-type: none"> <li>• Wetland hydrology—drainage pattern, oxidized rhizospheres, etc.</li> <li>• Hydric soils—</li> <li>• Wetland vegetation dominant—spikerush</li> </ul>
2	6-5-08	Northeast drainage head, upland vegetation	No wetland	<ul style="list-style-type: none"> <li>• Hydrology--drainage pattern, concave position</li> </ul>
3	6-5-08	Southern drainage, edge of channel	Federal and State wetland	<ul style="list-style-type: none"> <li>• Wetland hydrology—drainage pattern, oxidized rhizospheres, etc.</li> <li>• Hydric soils—redox features, moist to surface in June, sulfur odor, etc.</li> <li>• Wetland vegetation dominant—spikerush, Mexican rush, etc.</li> </ul>
4	6-5-08	Slope adjacent to southern drainage	No	<ul style="list-style-type: none"> <li>• None</li> </ul>

**Hydrophytic vegetation, definition of terms**

Hydrophytic vegetation is categorized based on the probability of a species to occur in a wetland. The 1988 National List of Plant Species that Occur in Wetlands (P.B. Reed) is the current USACE-approved plant list for determining probability of a plant to occur in a wetland. The accepted taxonomic designations of many plant species listed in the 1988 National List have changed. Therefore, both the current accepted name of each indicator species and its synonym as listed in the 1988 National List are provided for taxons that have been revised. Except where noted, current accepted names are from the Jepson Manual and the Jepson Flora Project's Index to California Plant Names.

Facultative (FAC) species are plants with a similar likelihood (estimated probability 33 percent to 67 percent) of occurring both in wetlands and non-wetlands. Facultative Wetland (FACW) species are plants that occur usually (estimated probability 67 percent to 99 percent) in wetlands, but also occur (estimated probability 1 percent to 33 percent) in non-wetlands. Obligate (OBL) wetland species are plants that occur almost always (estimated probability >99 percent) in wetlands under natural conditions, but which also

Current Scientific Name (1988 synonym)	Plant Origin	Common Name	Wetland Indicator Status
<i>Lemna gibba</i>	Native	Duck meal	OBL
<i>Lythrum hyssopifolia</i>	Introduced	Loosestrife	FACW
<i>Nasturtium officinale</i>	Native	Watercress	OBL
<i>Phyla nodiflora</i>	Native	Common lippia	FACW
<i>Rumex crispus</i>	Introduced	Curly dock	FACW
<i>Sanicula bipinnata</i>	Native	Poison sanicle	UPL (NI)
<i>Trifolium microcephalum</i>	Native	Small-head clover	FACU
<i>Verbena lasiostachys</i>	Native	Verbena	FACW
<b>Grasses</b>			
<i>Avena fatua</i>	Introduced	Wild oat	UPL (NI)
<i>Bromus diandrus</i>	Introduced	Ripgut brome	UPL (NI)
<i>Bromus hordeaceus</i> [= <i>B. mollis</i> ]	Introduced	Soft chess brome	FACU
<i>Lolium multiflorum</i> [= <i>Lolium perenne</i> ]	Introduced	Italian rye	FAC
<i>Poa annua</i>	Introduced	Annual bluegrass	FACW
<i>Polypogon monspeliensis</i>	Introduced	Rabbitsfoot grass	FACW
<i>Vulpia myuros</i>	Introduced	Rattail fescue	FACU

### Soil Sample Sites

#### *Site 1. Wetland in ephemeral drainage (northeastern drainage).*

This sample site is located in the bed of an ephemeral swale where spikerush is the dominant plant, forming over 70 percent of plant cover (Exhibit D, Photo 1). Toad rush, rye grass, prickly lettuce, and soft chess brome were also common. Vegetation was drying out by June 4, 2008, so quantities of toad rush, a short-lived annual, may have been underestimated. Obligate, FACW, and FAC plant species combined make up approximately 80 percent of vegetative cover at Site 1. This site meets criteria for wetland vegetation. The channel was dry during our site visit in June 2008, and soil in the upper 8 inches was also dry.

A soil pit was excavated to a depth of 8 inches. Excavation was stopped at 8 inches because hydric soil indicators were present in the upper soil horizons. Two soil horizons were observed within this pit. From 0 to 5 inches of depth, an A-1 horizon consists of a very dark brown (10YR 2/2, moist) sandy loam with common (~7%), prominent, yellowish red (5YR 4/6, moist) redox concentrations along root channels and as pore linings. Beneath this an A-2 horizon from 5 to 8+ inches depth is a very dark grayish

<sup>1</sup> PLANTS Database gives indicator FAC for *Lolium perenne* and lists *L. multiflorum* as a synonym for *L. perenne*.

**Site 4. Upland adjacent to seasonal drainage (southern drainage).**

This sample site is located on a hillside immediately above the channel in which Pit 3 was located (Photo 5). Dominant plant species in this location are upland species. Soft chess brome, rat tail fescue, rip-gut brome, filaree, and smooth cat's ear together form approximately 65 percent of cover at this location. The pit is at the canopy edge of a mature blue oak. This sample site has convex local relief and no indication of wetland hydrology. Soil was very dry when this site was described on June 5, 2008.

A soil pit was excavated to a depth of 18 inches. Soil in this pit was very similar to soil observed in pit 2. Three soil horizons were observed. From 0 to 3 inches of depth, an A-1 horizon consists of a very dark brown (10YR 2/2, moist) loam with platy structure. Beneath this, from 3 to 12 inches depth is a very dark grayish brown (10 YR 3/2, moist) sandy loam. A third horizon from 12 to 18+ inches consists of a very dark grayish brown (10 YR 3/2, moist) sandy loam. This horizon is different from the second because it has far fewer roots and weaker structure. Redox features were not observed in any of the horizons in this soil pit. Soil was very dry when this pit was described. This soil does not meet criteria for hydric soils.

**This site does not meet criteria for federal and state jurisdictional wetlands.**

**Other Site Observations**

Drainages were walked to determine the extend of wetland and other waters on the subject site. Two of the drainages have stock ponds in their channels, formed by low earthen dams where slope gradient is low. Beneath the pond in the southeastern drainage where "Wetland 3 is located", overflow water enters a small channel downstream. The channel bed and bank are obscured where the channel enters an irrigated pasture. Water sheet-flows across the pasture toward Huerhuero Creek. The portion of the drainage without bed and bank was not considered jurisdictional, although the upstream portion of the channel does connect hydrologically to Huerhuero Creek and thus was considered jurisdictional.

The pond in the southwester drainage where "Wetland 4" is located also overflows into a small channel. This channel carries water into irrigated pasture, where water sheet-flows across the pasture into a culvert. The culvert carries water under Airport Road into Huerhuero Creek.

## **Jurisdictional Delineation**

### **Methodology**

The USACE routine onsite method of wetland delineation was used. This includes locating data points within different topographic zones and species associations present on the site representing wetlands and uplands, with the majority of the data points located within the potential wetland boundary. A soil pit 18–20 inches deep or to clear hydric indicators, bedrock, or standing water was dug at each data point, and field indicators for the three USACE parameters (hydrophytic vegetation, hydric soils, and wetland hydrology) were investigated. According to the routine method, hydrophytic vegetation

TABLE 4. SECTION 404 WATERS. The lengths of section 404 wetland and non-wetland waters of the United States are given for the entire property.

<b>Map Label</b>	<b>Wetland Waters (linear feet)</b>	<b>Other Waters (linear feet)</b>	<b>Dimensions: OHW</b>
Wetland 1	38	-	varies (see map)
Wetland 2	64	-	varies (see map)
Wetland 3	920	-	varies (see map)
Wetland 4	174	-	varies (see map)
Other Waters 1	-	14	1.5 ft wide x 0.25 ft deep
Other Waters 2	-	34	1.5 ft wide x 0.3 ft deep
Other Waters 3	-	315	2 ft wide x 0.5 ft deep
Other Waters 4	-	70	1.5 ft wide x 0.25 ft deep
Other Waters 5	-	75	1.5 ft wide x 0.5 ft deep
Other Waters 6	-	201	2 ft wide x 0.5 ft deep
Other Waters 7	-	210	3 ft wide x 0.25 ft deep
Other Waters 8	-	154	2 ft wide x 0.5 ft deep

This report is subject to verification by the United States Army Corps of Engineers.

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## **Exhibit A – Delineation of Jurisdictional Wetland**

The locations of jurisdictional wetlands on Destino Paso property were marked by Althouse and Meade, Inc. over a site-specific topographic map surveyed by North Coast Engineering, Inc. These points were interpreted onto a CAD map, presented here. The boundary of the delineation prepared for this report is clearly marked.

- **Delineation of Jurisdictional Wetland**



# Delineation of Jurisdictional Wetlands and Waters for Tract 2962

Airport Road, Paso Robles, CA

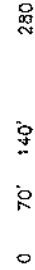
Federal Jurisdictional wetlands and waters were mapped on the project site according to USACE standards. Dimensions of mapped features are provided below.

Wetland Dimensions	
Label	Area (sq. ft.)
Wetland 1	318 sq. ft.
Wetland 2	436 sq. ft.
Wetland 3	14,475 sq. ft.
Wetland 4	13,005 sq. ft.

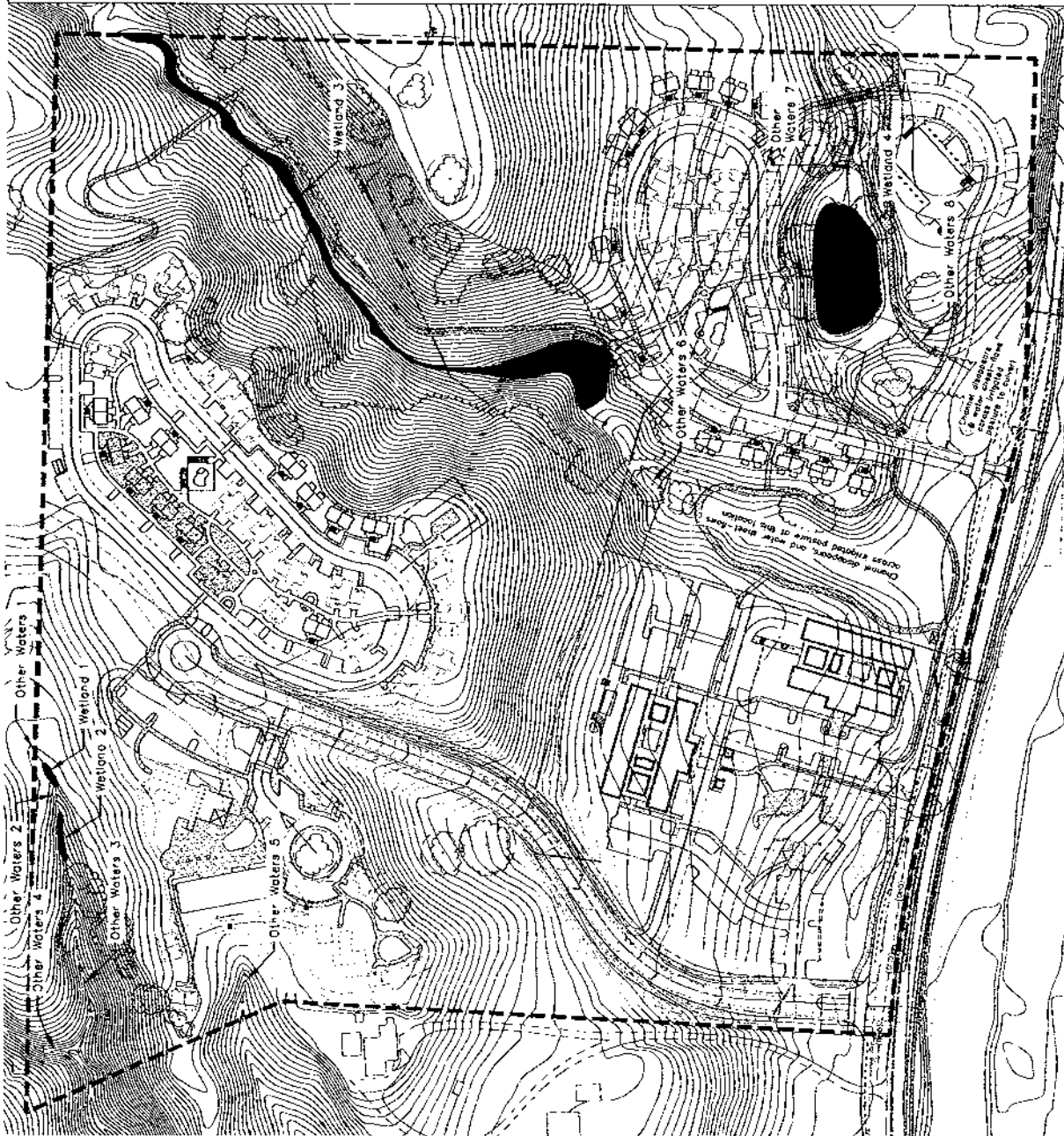
Other Waters Dimensions			
Label	Length Linear Feet	Ordinary High Water - ave. width	Ordinary High Water - ave. depth
Other Waters 1	14	1.5 ft	0.25 ft
Other Waters 2	34	1.5 ft	0.3 ft
Other Waters 3	315	2 ft	0.5 ft
Other Waters 4	70	1.5 ft	0.25 ft
Other Waters 5	75	1.5 ft	0.5 ft
Other Waters 6	201	2 ft	0.5 ft
Other Waters 7	210	3 ft	1.5 ft
Other Waters 8	154	2 ft	0.5 ft

Althouse and Meade, Inc.  
1875 Wellsona Rd.  
Paso Robles, CA 93446  
(805) 467-1041

Mapped from field work conducted June 2008.  
Updated June 19, 2008



SCALE: 1" = 140'



## **Exhibit B – Routine Wetland Determination Data Forms**

A United States Army Corps of Engineers, Routine Wetland Determination data form (2006 Arid West Supplement Version) was completed in the field for each sampling site. The forms included here are copies of forms written in the field. The original forms are on file in our office.

**WETLAND DETERMINATION DATA FORM – Arid West Region**

Project/Site: Handley City/County: Yuma Sampling Date: 6-4-06  
 Applicant/Owner: \_\_\_\_\_ State: \_\_\_\_\_ Sampling Point: 1  
 Investigator(s): David L. ... Section, Township, Range: \_\_\_\_\_  
 Landform (hillslope, terrace, etc.): ... Local relief (concave, convex, none): ... Slope (%): ...  
 Subregion (LRR): \_\_\_\_\_ Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name: \_\_\_\_\_ NWI classification: \_\_\_\_\_

Are climatic / hydrologic conditions on the site typical for this time of year? Yes    No    (If no, explain in Remarks.)  
 Are Vegetation    Soil    or Hydrology    significantly disturbed? Are "Normal Circumstances" present? Yes    No     
 Are Vegetation    Soil    or Hydrology    naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes <u>  X  </u> No <u>  </u> Hydric Soil Present? Yes <u>  X  </u> No <u>  </u> Wetland Hydrology Present? Yes <u>  X  </u> No <u>  </u>	Is the Sampled Area within a Wetland? Yes <u>  X  </u> No <u>  </u>
Remarks: _____ _____ _____	

**VEGETATION**

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1 _____				Number of Dominant Species That Are OBL, FACW, or FAC: <u>  1  </u> (A)
2 _____				Total Number of Dominant Species Across All Strata: <u>  </u> (B)
3 _____				Percent of Dominant Species That Are OBL, FACW, or FAC: <u>  </u> (A/B)
4 _____				
Total Cover: _____				
Sapling/Shrub Stratum				Prevalence Index worksheet:
1 _____				Total % Cover of: _____ Multiply by: _____
2 _____				OBL species _____ x 1 = _____
3 _____				FACW species _____ x 2 = _____
4 _____				FAC species _____ x 3 = _____
5 _____				FACU species _____ x 4 = _____
				UPL species _____ x 5 = _____
Total Cover: _____				Column Totals: _____ (A) _____ (B)
				Prevalence Index = B/A = _____
Herb Stratum				Hydrophytic Vegetation Indicators:
1 <u>  Spartina patens  </u>	<u>  20  </u>	<u>  Y  </u>	<u>  OBL  </u>	<input checked="" type="checkbox"/> Dominance Test is >50%
2 <u>  Spartina patens  </u>	<u>  10  </u>	<u>  N  </u>	<u>  UPL  </u>	<input type="checkbox"/> Prevalence Index is ≤3.0 <sup>2</sup>
3 <u>  Spartina patens  </u>	<u>  10  </u>	<u>  N  </u>	<u>  FAC  </u>	<input type="checkbox"/> Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)
4 <u>  Spartina patens  </u>	<u>  10  </u>	<u>  N  </u>	<u>  FAC  </u>	<input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>2</sup> (Explain)
5 <u>  Spartina patens  </u>	<u>  10  </u>	<u>  N  </u>	<u>  FAC  </u>	
6 <u>  Spartina patens  </u>	<u>  10  </u>	<u>  N  </u>	<u>  FAC  </u>	
7 <u>  Spartina patens  </u>	<u>  10  </u>	<u>  N  </u>	<u>  FAC  </u>	
8 <u>  Spartina patens  </u>	<u>  10  </u>	<u>  N  </u>	<u>  FAC  </u>	
Total Cover: <u>  80  </u>				
Woody Vine Stratum				<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present
1 _____				
2 _____				
Total Cover: _____				
% Bare Ground in Herb Stratum _____		% Cover of Biotic Crust _____		Hydrophytic Vegetation Present? Yes <u>  </u> No <u>  </u>

Remarks: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**WETLAND DETERMINATION DATA FORM - Arid West Region**

Project/Site: Handley Initial Study City/County: San Diego Sampling Date: 6-5-08  
 Applicant/Owner: Handley State: CA Sampling Point: PA # 2  
 Investigator(s): Bryce Cowan Section, Township, Range: \_\_\_\_\_  
 Landform (hillslope, terrace, etc.): bottom of slope Local relief (concave, convex, none): flat Slope (%): 3-5  
 Subregion (LRR): \_\_\_\_\_ Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name: \_\_\_\_\_ NWI classification: \_\_\_\_\_

Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No \_\_\_\_\_ (If no, explain in Remarks.)  
 Are Vegetation \_\_\_\_\_ Soil \_\_\_\_\_, or Hydrology \_\_\_\_\_ significantly disturbed? Are "Normal Circumstances" present? Yes  No \_\_\_\_\_  
 Are Vegetation \_\_\_\_\_ Soil \_\_\_\_\_, or Hydrology \_\_\_\_\_ naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS -- Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes _____ No <input checked="" type="checkbox"/> Hydric Soil Present? Yes _____ No <input checked="" type="checkbox"/> Wetland Hydrology Present? Yes _____ No <input checked="" type="checkbox"/> Remarks: _____	Is the Sampled Area within a Wetland? Yes _____ No <input checked="" type="checkbox"/>
--	--

**VEGETATION**

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. <u>Pinus Sabiniana</u>	1	Y	E	Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A)
2. _____				Total Number of Dominant Species Across All Strata: <u>1</u> (B)
3. _____				Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)
4. _____				
Total Cover: <u>1</u>				
Sapling/Shrub Stratum				Prevalence Index worksheet:
1. _____				Total % Cover of: _____ Multiply by: _____
2. _____				OBL species _____ x 1 = _____
3. _____				FACW species _____ x 2 = _____
4. _____				FAC species _____ x 3 = _____
5. _____				FACU species _____ x 4 = _____
				UPL species _____ x 5 = _____
Total Cover: <u>0</u>				Column Totals: _____ (A) _____ (B)
				Prevalence Index = B/A = _____
Herb Stratum				Hydrophytic Vegetation Indicators:
1. <u>Phragmites australis</u>	35	Y	E	<input type="checkbox"/> Dominance Test is >50%
2. <u>Spartina patens</u>	25	Y	E	<input type="checkbox"/> Prevalence Index is ≤3.0'
3. <u>Scirpus americanus</u>	20	Y	UPL	<input type="checkbox"/> Morphological Adaptations (Provide supporting data in Remarks or on a separate sheet)
4. <u>Echinochloa polystachya</u>	10	N	E	<input type="checkbox"/> Problematic Hydrophytic Vegetation (Explain)
5. <u>Arundo donax</u>	=	N	E	
6. <u>Phragmites australis</u>	=	N	E	
7. _____				
8. _____				
Total Cover: <u>30</u>				Indicators of hydric soil and wetland hydrology must be present
Woody Vine Stratum				Hydrophytic Vegetation Present?
1. _____				Yes _____ No <input checked="" type="checkbox"/>
2. _____				
Total Cover: <u>0</u>				
% Bare Ground in Herb Stratum <u>2</u>		% Cover of Biotic Crust <u>0</u>		
Remarks: _____				

**WETLAND DETERMINATION DATA FORM - Arid West Region**

Project/Site: Handley, PA #17 City/County: Boone County, MO Sampling Date: 4-5-08  
 Applicant/Owner: Mr. Galt State: MO Sampling Point: Point #1  
 Investigator(s): Boyer, Cooper Section, Township, Range: \_\_\_\_\_  
 Landform (hillslope, terrace, etc.): soil Local relief (concave, convex, none): concave Slope (%): 4.3%  
 Subregion (LRR): \_\_\_\_\_ Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name: \_\_\_\_\_ NWI classification: \_\_\_\_\_

Are climatic / hydrologic conditions on the site typical for this time of year? Yes \_\_\_\_\_ No \_\_\_\_\_ (if no, explain in Remarks.)  
 Are Vegetation \_\_\_\_\_ Soil \_\_\_\_\_ or Hydrology \_\_\_\_\_ significantly disturbed? Are "Normal Circumstances" present? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Are Vegetation \_\_\_\_\_ Soil \_\_\_\_\_ or Hydrology \_\_\_\_\_ naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No _____ Hydric Soil Present? Yes <input checked="" type="checkbox"/> No _____ Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No _____ Remarks: _____ _____ _____	is the Sampled Area within a Wetland? Yes <input checked="" type="checkbox"/> No _____
--	--

**VEGETATION**

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:																												
1. <u>Bassia rubra</u>	<u>10</u>	<u>Y</u>	<u>U</u>	Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>7</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>28.6%</u> (A/B)																												
2. _____	_____	_____	_____																													
3. _____	_____	_____	_____																													
4. _____	_____	_____	_____																													
Total Cover: _____				<b>Prevalence Index worksheet:</b> <table style="width:100%; border-collapse: collapse;"> <tr> <td align="center" colspan="2">Total % Cover of:</td> <td align="center" colspan="2">Multiply by:</td> </tr> <tr> <td>OBL species</td> <td align="center">_____</td> <td align="center">x 1 =</td> <td>_____</td> </tr> <tr> <td>FACW species</td> <td align="center">_____</td> <td align="center">x 2 =</td> <td>_____</td> </tr> <tr> <td>FAC species</td> <td align="center">_____</td> <td align="center">x 3 =</td> <td>_____</td> </tr> <tr> <td>FACU species</td> <td align="center">_____</td> <td align="center">x 4 =</td> <td>_____</td> </tr> <tr> <td>UPL species</td> <td align="center">_____</td> <td align="center">x 5 =</td> <td>_____</td> </tr> <tr> <td>Column Totals:</td> <td align="center">_____ (A)</td> <td align="center">_____ (B)</td> <td>_____</td> </tr> </table> Prevalence Index = B/A = _____	Total % Cover of:		Multiply by:		OBL species	_____	x 1 =	_____	FACW species	_____	x 2 =	_____	FAC species	_____	x 3 =	_____	FACU species	_____	x 4 =	_____	UPL species	_____	x 5 =	_____	Column Totals:	_____ (A)	_____ (B)	_____
Total % Cover of:		Multiply by:																														
OBL species	_____	x 1 =	_____																													
FACW species	_____	x 2 =	_____																													
FAC species	_____	x 3 =	_____																													
FACU species	_____	x 4 =	_____																													
UPL species	_____	x 5 =	_____																													
Column Totals:	_____ (A)	_____ (B)	_____																													
<b>Sapling/Shrub Stratum</b>																																
1. _____	_____	_____	_____																													
2. _____	_____	_____	_____																													
3. _____	_____	_____	_____																													
4. _____	_____	_____	_____																													
5. _____	_____	_____	_____																													
Total Cover: _____																																
<b>Herb Stratum</b>																																
1. <u>Spartina patens</u>	<u>25</u>	<u>Y</u>	<u>OBL</u>	<b>Hydrophytic Vegetation Indicators:</b> <input checked="" type="checkbox"/> Dominance Test is >50% <input type="checkbox"/> Prevalence Index is ≤3.0 <input type="checkbox"/> Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)																												
2. <u>Poa annua</u>	<u>5</u>	<u>N</u>	<u>UPL</u>																													
3. <u>Rumex crispus</u>	<u>15</u>	<u>Y</u>	<u>FACW</u>																													
4. <u>Verbena stricta</u>	<u>3</u>	<u>N</u>	<u>FACU</u>																													
5. <u>Smartweed</u>	<u>5</u>	<u>Y</u>	<u>OBL</u>																													
6. _____	<u>2</u>	<u>N</u>	<u>UPL</u>																													
7. _____	_____	_____	_____																													
8. _____	_____	_____	_____																													
Total Cover: <u>55</u>																																
<b>Woody Vine Stratum</b>																																
1. _____	_____	_____	_____																													
2. _____	_____	_____	_____																													
Total Cover: _____																																
% Bare Ground in Herb Stratum: <u>25</u>		% Cover of Biotic Crust: _____																														

Remarks: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**WETLAND DETERMINATION DATA FORM - Arid West Region**

Project/Site: Hwy 99 PDI # 4 City/County: San Bern Co / CA Sampling Date: 6.8.06  
 Applicant/Owner: Army Corps State: CA Sampling Point: 4  
 Investigator(s): Eric S. Q. Section, Township, Range: \_\_\_\_\_  
 Landform (hillslope, terrace, etc.): 215 ft Local relief (concave, convex, none): 200 ft Slope (%): 1  
 Subregion (LRR): \_\_\_\_\_ Lat: \_\_\_\_\_ Long: \_\_\_\_\_ Datum: \_\_\_\_\_  
 Soil Map Unit Name: \_\_\_\_\_ NWI classification: \_\_\_\_\_

Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No \_\_\_\_\_ (If no, explain in Remarks.)  
 Are Vegetation \_\_\_\_\_ Soil \_\_\_\_\_ or Hydrology \_\_\_\_\_ significantly disturbed? Are "Normal Circumstances" present? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Are Vegetation \_\_\_\_\_ Soil \_\_\_\_\_ or Hydrology \_\_\_\_\_ naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes _____ No <input checked="" type="checkbox"/> Hydric Soil Present? Yes _____ No <input checked="" type="checkbox"/> Wetland Hydrology Present? Yes _____ No <input checked="" type="checkbox"/> Remarks: _____	Is the Sampled Area within a Wetland? Yes _____ No <input checked="" type="checkbox"/>
--	--

**VEGETATION**

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:														
1. <u>Quercus agrifolia</u>	5	Y	92	Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A) Total Number of Dominant Species Across All Strata: _____ (B) Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)														
2. _____																		
3. _____																		
4. _____																		
Total Cover: <u>5</u>				<b>Prevalence Index worksheet:</b> <table style="width:100%;"> <tr> <th>Total % Cover of</th> <th>Multiply by:</th> </tr> <tr> <td>OBL species <u>1</u></td> <td>x 1 = _____</td> </tr> <tr> <td>FACW species <u>1</u></td> <td>x 2 = _____</td> </tr> <tr> <td>FAC species <u>1</u></td> <td>x 3 = _____</td> </tr> <tr> <td>FACU species <u>13</u></td> <td>x 4 = _____</td> </tr> <tr> <td>UPL species <u>39</u></td> <td>x 5 = <u>195</u></td> </tr> <tr> <td><b>Column Totals:</b> _____ (A)</td> <td><b>_____ (B)</b></td> </tr> </table> Prevalence Index = B/A = <u>4.13</u>	Total % Cover of	Multiply by:	OBL species <u>1</u>	x 1 = _____	FACW species <u>1</u>	x 2 = _____	FAC species <u>1</u>	x 3 = _____	FACU species <u>13</u>	x 4 = _____	UPL species <u>39</u>	x 5 = <u>195</u>	<b>Column Totals:</b> _____ (A)	<b>_____ (B)</b>
Total % Cover of	Multiply by:																	
OBL species <u>1</u>	x 1 = _____																	
FACW species <u>1</u>	x 2 = _____																	
FAC species <u>1</u>	x 3 = _____																	
FACU species <u>13</u>	x 4 = _____																	
UPL species <u>39</u>	x 5 = <u>195</u>																	
<b>Column Totals:</b> _____ (A)	<b>_____ (B)</b>																	
Sapling/Shrub Stratum	Absolute % Cover	Dominant Species?	Indicator Status															
1. _____				<b>Hydrophytic Vegetation Indicators:</b> _____ Dominance Test is >50% _____ Prevalence Index is ≤3.0' _____ Morphological Adaptations (Provide supporting data in Remarks or on a separate sheet) _____ Problematic Hydrophytic Vegetation (Explain)														
2. _____																		
3. _____																		
4. _____																		
5. _____																		
Total Cover: _____				Indicators of hydric soil and wetland hydrology must be present. <b>Hydrophytic Vegetation Present?</b> Yes _____ No _____														
Herb Stratum	Absolute % Cover	Dominant Species?	Indicator Status															
1. <u>Stipa capensis</u>	20	V	92															
2. <u>Stipa capensis</u>	55	Y	92															
3. <u>Stipa capensis</u>	7	N	7															
4. <u>Stipa capensis</u>	3	U	7															
5. <u>Stipa capensis</u>	10	N	UP															
6. <u>Stipa capensis</u>	4	N	UP															
7. <u>Stipa capensis</u>	+	N	UP															
8. <u>Stipa capensis</u>	+	N	UP															
Total Cover: <u>70</u>																		
Woody Vine Stratum	Absolute % Cover	Dominant Species?	Indicator Status															
1. _____																		
2. _____																		
Total Cover: _____																		
% Bare Ground in Herb Stratum <u>30</u>		% Cover of Biotic Crust _____																
Remarks: _____																		

## **Exhibit C – Figures**

- Figure 1. Location Map
- Figure 2. Topographic Map
- Figure 3. Soils Map
- Figure 4. Aerial Photograph

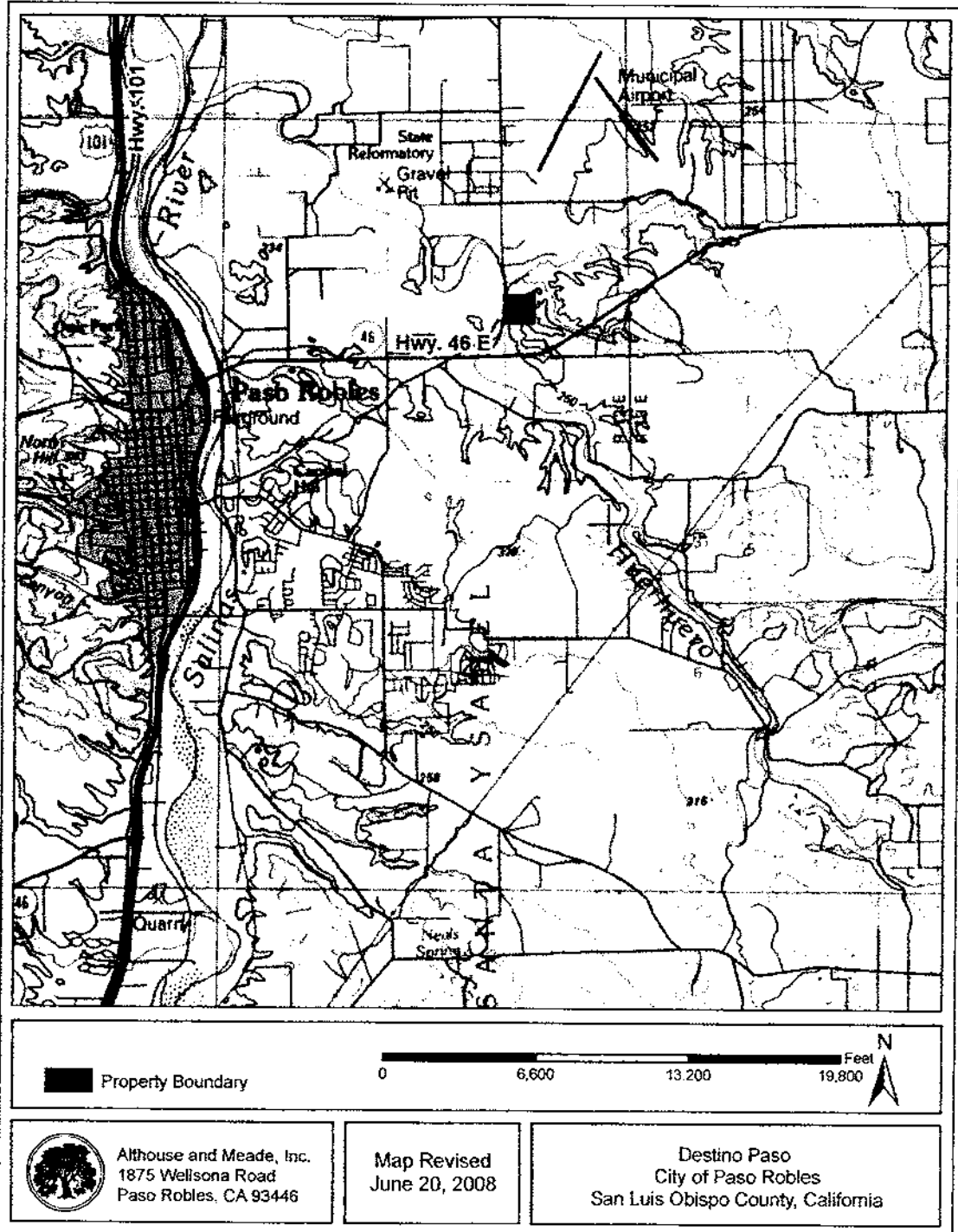


FIGURE I. LOCATION MAP. The Handley property is located in the northeastern corner of the City of Paso Robles, San Luis Obispo County, California. The property is within the Paso Robles USGS 7.5 minute quadrangle.



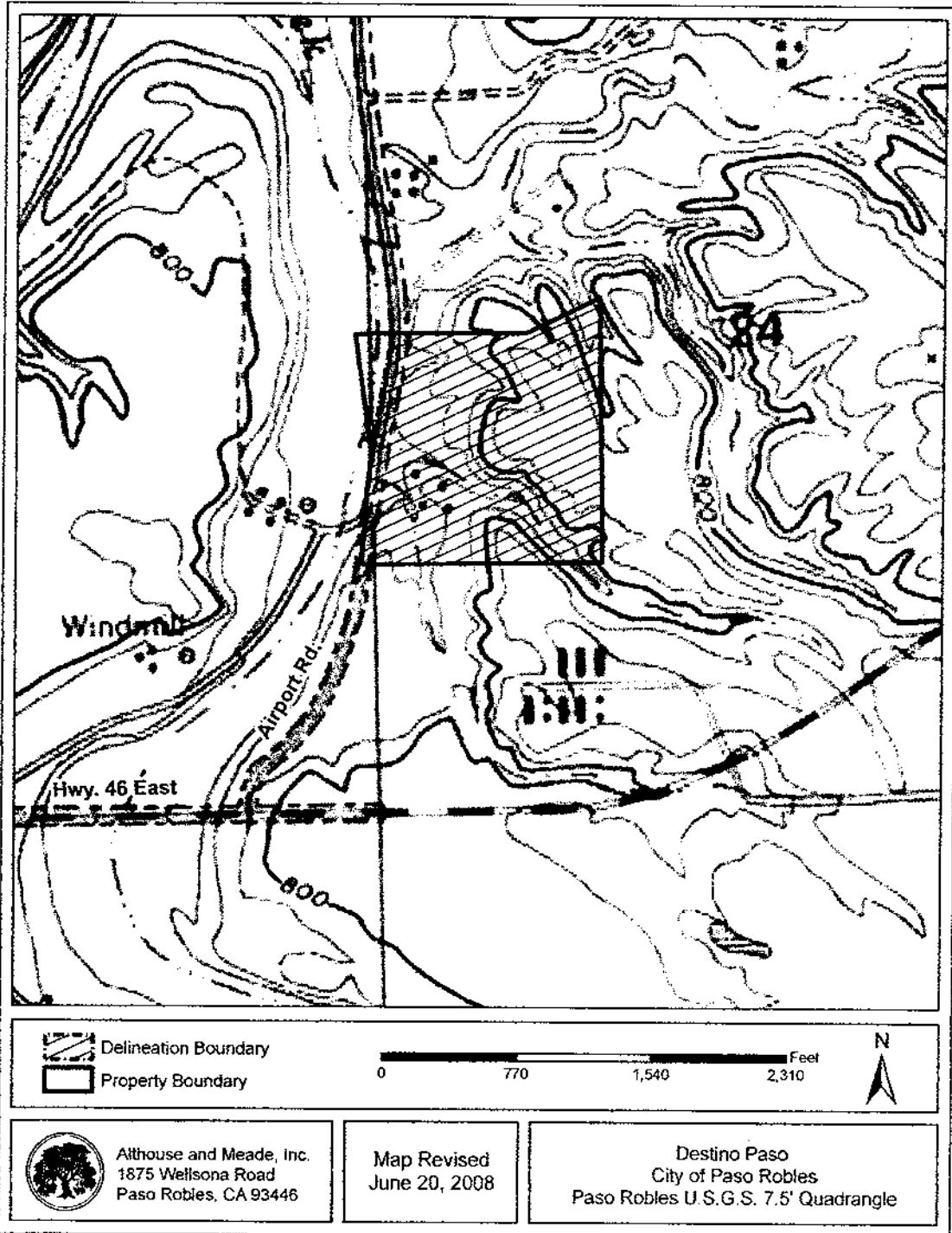


FIGURE 2. USGS TOPOGRAPHIC MAP. The Destino Paso property is situated on the east side of Airport Road, north of Highway 46 East. The approximate property and delineation boundaries are marked.

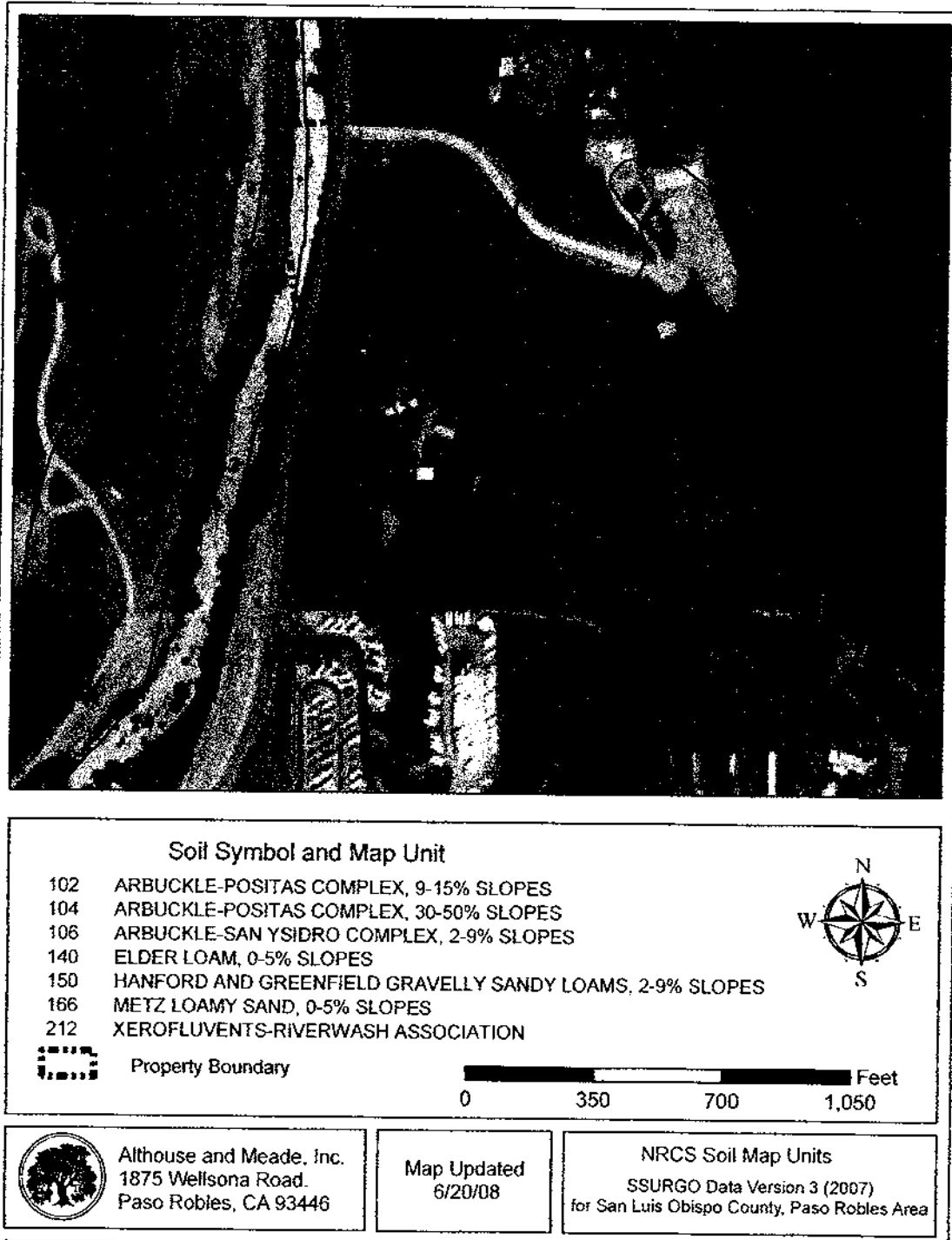


FIGURE 3. SOILS MAP. USDA Soil Survey soil map units for the subject site and vicinity are displayed over a 2006 aerial photo (SSURGO spatial soil survey data, version 3). The approximate property boundaries of the Destino Paso site are outlined above. Four soil map units occur on the property.

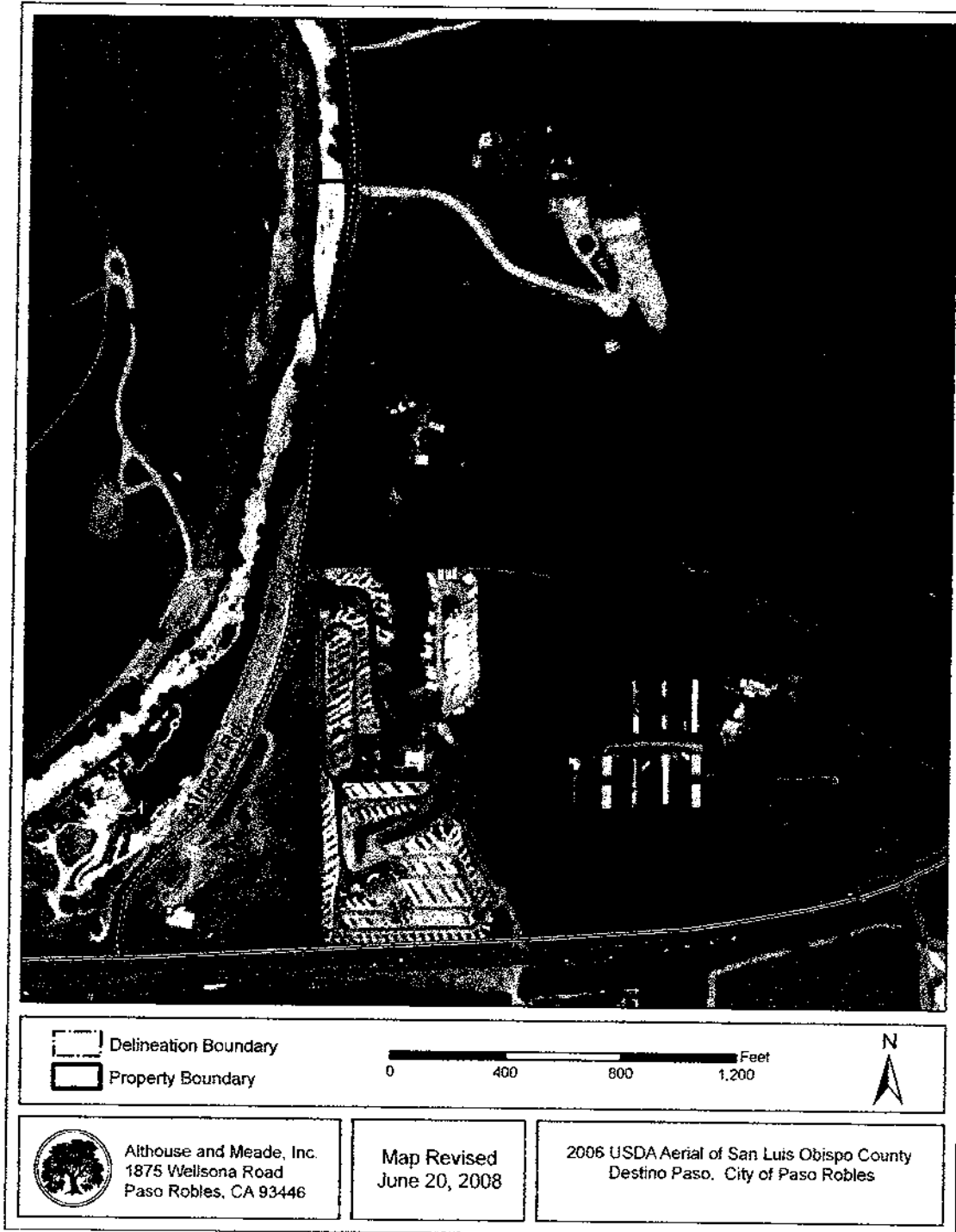


FIGURE 4. AERIAL PHOTOGRAPH. Approximate property boundaries are shown in black, delineation boundaries in red. Aerial photograph is from the USDA Aerial orthophoto of San Luis Obispo County, flown in 2006.

## Exhibit D – Photographs



Photo 1. Soil pit 1 was located in the middle part of an ephemeral swale where wetland vegetation (dry in this photograph) was dominant. The perimeter of wetland in this location was flagged with pink pin flags for survey. This pit is immediately downstream of sample site 2, which had upland vegetation.



Photo 2. Soil pit 2 was located in the upper part of an ephemeral swale where upland vegetation was dominant.



Photo 3. Sample site 3 was located in a seasonal drainage. Spikerush, rabbitsfoot grass, and Mexican rush were common in the bed and lower banks of the channel at this location.



Photo 4. Soil samples from pit 3 had obvious concentrations of iron in pores and along root channels in the upper few inches of soil.



Photo 5. Soil pit 4 was located on a hillside immediately above sample point 3. This soil profile had no redoximorphic features. Vegetation surrounding the pit is typical of annual grassland and understory to blue oak woodland on the subject site.



Paso Robles  
JUN 13 2008  
Planning Division

# Rincon Consultants, Inc.

Environmental Scientists      Planners      Engineers

## MEMORANDUM

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**Date:** June 4, 2008

**To:** Jerry and Katherine Handley

**Organization:**

**From:** Richard Daulton, Planning Manager

**Email:** [rdaulton@rinconconsultants.com](mailto:rdaulton@rinconconsultants.com)

**Re:** Noise Study for the Destino Paso Destination Resort Project

Rincon Consultants, Inc. conducted a noise analysis which provides a screening-level evaluation of potential noise impacts associated with construction and operation of a proposed 291 unit destination resort, including:

- two 50-room hotels;
- one 16-room "boutique" hotel;
- 175 vacation "casitas";
- a 5,700 square foot restaurant;
- a 2,990 square foot spa;
- a 1,000 square foot office;
- a 4,000 square foot conference/wedding facility; and
- a 5,000 square feet of additional recreation space featuring a pool and pool house.

The project site is comprised of 40.3 acres and is located on Airport Road immediately north of Wine Country R.V. Park. Noise measurements were conducted on and near the project site by Rincon Consultants, including three 30-minute samples and one 24-hour sample. Data from these samples are attached to this memorandum. The following discussion compares these results to the City of Paso Robles thresholds. It is our understanding that the information provided below may be utilized by the County to determine appropriate mitigation for development of the proposed project.

**Exhibit H**  
Noise Study  
PD 08-002 et al  
(Handley)

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## **Noise Evaluation Methodology**

Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment of actual sound power levels to better correlate with the human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz). In addition to the actual instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress.

Several different metrics are used to evaluate noise levels. One of the most frequently used noise metrics that considers both duration and sound power level is the equivalent noise level ( $L_{eq}$ ). The  $L_{eq}$  is defined as the steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual time-varying levels over a period of time. Typically,  $L_{eq}$  is summed over a one-hour period. The maximum noise level ( $L_{max}$ ) is the highest instantaneous sound pressure level experienced over a given time period. Other commonly used noise metrics include the maximum noise level ( $L_{max}$ ) and minimum noise level ( $L_{min}$ ). L percentiles represent the A-weighted sound level exceeded for the identified percentage of the sample time. For example, a value of 55 dBA  $L_{10}$  would mean that 55 dBA was exceeded 10% of the time. The  $L_{90}$  represents the level exceeded 90% of the time and can be considered the background level of sound present at a site.

The actual time period in which noise occurs is also important since noise that occurs at night tends to be more disturbing than that which occurs during the day. The day-night average noise level ( $L_{dn}$ ) and the Community Noise Equivalent Level (CNEL) are two indexes that recognize this characteristic. The  $L_{dn}$  is equivalent to the weighted average of the hourly  $L_{eq}$  over a 24-hour period. The weighting includes an addition of 10 dB to nighttime (10 p.m. to 7 a.m.) noise levels to account for the greater disturbance associated with noise during this time period. The CNEL is similar, except that it also provides a weighting of 5 dB to the evening hours (7:00 p.m. to 10:00 p.m.). In general, these two indices are typically within 1 dBA of each other.

## **Significance Thresholds**

The City of Paso Robles has adopted noise standards through its Noise Element. The City's noise criteria and standards were developed based on the California Department of Health, Office of Noise Control, noise compatibility guidelines for various land uses, which are included in the City of Paso Robles Noise Element as Figure N-1, as well as the California Department of Transportation (CalTrans) and the Federal Highway Administration. These guidelines are used to assess whether or not transportation noise can potentially pose a conflict with land development.

Because the project involves a destination resort, City noise standards that address hotels and motels would apply. These standards establish both exterior and interior noise limits for noise compatibility. The normally acceptable outdoor standard for this land use is 65 dBA CNEL, under which the specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements. The conditionally acceptable threshold is 70 dBA CNEL, under which new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made, and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice. The normally acceptable indoor standard for this land use is 45 dBA CNEL.

According to the City of Paso Robles General Plan Noise Element, noise due to construction shall not exceed 70 dBA during the day (7:00 a.m. to 10:00 p.m.) and 65 dBA at night (10:00 p.m. to 7:00 a.m.) at the property line of the receiving land use. Since noise levels associated with heavy equipment typically range from 75-95 dBA at 50 feet from the source, operation of construction equipment has the potential to exceed City thresholds, and may require mitigation. Possible mitigation measures related to sources of construction noise are included at the end of this memorandum.

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### **Current On-Site Conditions Assessed by Measurement**

The project site is bordered to the south by an RV park and to the west by Airport Road. The land to the immediate north is a private residence. The land to the east is undeveloped, as is the land across Airport Road from the project site.

The posted speed limit on Airport Road is 55 mph. This roadway currently carries an estimated 5,000 average daily trips (ADT). The projected short-term plus project traffic levels on Airport Road in front of the site would be an estimated 14,000 ADT. The posted speed limit SR 46 East is 55 mph. This roadway currently carries an estimated 23,000 daily trips (ADT). The City's Noise Element has identified a portion of the project site as falling within the existing 65 dBA contour along Airport Road, based on the "Existing Roadway and Railroad Noise Contours (2003) – Northeast," as well as the 70 dBA contour of the "Future Roadway and Railroad Noise Contours (2025) – Northeast" (Figures N-2c and N-3c in the City of Paso Robles General Plan).

Noise at the site is primarily generated by traffic along Airport Road, with the more distant traffic (0.25 miles south of the project site) on SR 46 East contributing significantly less to the noise environment. There is a two-way stop sign intersection at Airport Rd. and SR 46 East that controls traffic. Some additional noise is produced by small aircraft related to the airport, located 0.75 miles north of the project site.

Existing noise conditions on the project site were determined through monitoring using a Larson-Davis Model 720 (ANSI Type 2) integrating sound level meter and statistical data logger (for the 24-hour sample) and an Extech Model 407780 (ANSI Type 2) integrating sound level meter and statistical data logger (for the 30-minute samples). Instantaneous sound levels were measured, integrated, and recorded by the sound level meter in 0.1-second intervals. The sound level data collected included date, time, duration of measurement (in seconds),  $L_{eq}$ , SEL, statistical sound levels ( $L_{90}$ ,  $L_{50}$ ,  $L_{33}$  and  $L_{10}$ ),  $L_{max}$ ,  $L_{min}$ , and peak (A-weighted). The set-up consisted of mounting the sound level meter on a tripod with the microphone top approximately 4.5 feet above the ground surface level as measured with a tape measure. Calibration of the sound level meter prior to measurements was performed using a Larson-Davis Acoustic Calibrator CAL150 using a sound power level of 94 dBA at a frequency of 1,000 Hz (for the Larson-Davis Model 720 meter) and an Extech Model 407766 Sound Level Calibrator using a sound power level of 94 dBA at a frequency of 1,000 Hz (for the Extech Model 407780 meter). Calibration level was also checked at the end of the measurement period to ensure accurate results.

Forecast meteorological conditions were checked prior to the field measurement to determine if acceptable conditions would prevail throughout the measurement period, with the measurement conducted on a day without measurable precipitation and wind speeds generally not higher than 7 miles per hour. Onsite conditions were favorable for noise measurements, with temperatures ranging from 72°F to 76°F and a light breeze ranging from 4-7 mph from the west and clear skies. Three noise measurements were taken at various locations on site. The first measurement location was near the northwest corner of the site, 30 feet from the center line of Airport Road. This location was chosen based on proximity to the primary noise source. The second measurement location was .25 miles due south of the southwest corner of the site, at the corners of the Firestone Winery and the RV park, 100 feet north of the center line of SR 46 East. This is approximately 300 feet west of where the westbound side of SR 46 East pinches from two lanes to a single lane, and 400 feet east of where the eastbound side of SR 46 East pinches from two lanes to a single lane. This location was chosen because it is the point along SR 46 East closest to the project site. The third measurement location was 100 feet north of the center line of SR 46 East, this time approximately 0.25 miles west of Airport Road. This location was chosen as a comparison to the second measurement site because SR 46 East is more free-flowing than that site, due to the fact that the highway still consists of two lanes in each direction of travel.

Measurements at these three sites were 30-minute samples consistent with the measurement duration suggested in the Caltrans *Technical Noise Supplement* (October 1998). Such samples are a sample of the local noise environment, and while expected to be typical of noise levels at the site, considerable variation ( $\pm 3-5$  dBA) may occur.

In addition to the 30-minute samples, a single 24-hour measurement was taken at the same site as the 30-minute sample in front of the project site along Airport Road. This sample is thought to give a more accurate interpretation of the general noise environment at the site, as it encompasses a whole day as opposed to a 30-minute window.

The first two 30-minute sound levels were recorded on Wednesday, May 28, 2008. The third 30-minute sample was recorded on Thursday, May 29, 2008. The 24-hour sound level was recorded from Wednesday, May 28, 2008 to Thursday, May 29, 2008. All of the 30-minute samples were taken during the afternoon peak hour.

Table 1 provides the results of the noise measurements. Assuming typical distribution of traffic noise patterns,  $L_{eq}$  is roughly equivalent to CNEL. As shown in Table 1, the  $L_{eq}$  measurements indicate an exterior CNEL along Airport Road in the 68-73 dBA range and along SR 46 East in the 70-74 dBA range.

**Table 1. Measured Sound Levels (dBA)**

Location	Time Start	$L_{eq}$	$L_{50}$	$L_{max}$
Western site boundary – Airport Road <sup>1,3</sup>	4:40 p.m.	68.0	67.3	84.0
Western site boundary – Airport Road <sup>2,3</sup>	4:25 p.m. (24-hour)	72.8	52.9	97.2
SR 46 – East of Airport Road <sup>1,4</sup>	5:23 p.m.	73.7	73.9	89.8
SR 46 – West of Airport Road <sup>1,4</sup>	4:55 p.m.	69.5	69.3	85.2

<sup>1</sup>30-minute sample

<sup>2</sup>24-hour sample

<sup>3</sup>30 feet from center line

<sup>4</sup>100 feet from center line

See attachments for noise measurement data

### **Existing and Future On-Site Noise Conditions**

Current traffic related noise levels were also estimated using a spreadsheet model based on the Federal Highway Administration *Traffic Noise Model*®. Current traffic levels were taken from the *Draft Destino Paso Resort Traffic Impact Study* by Omni-Means, Ltd. (April 2008). The TNM® uses algorithms based on speed to calculate the average sound level produced by the three vehicle types of concern (autos, medium-duty trucks, and heavy-duty trucks). The analysis used average speeds of 55 mph for vehicles on Airport Road, as well as for SR 46 East, based on the posted speed limits on these roads. The Appendix contains the results of the noise model and the basic input data files.

*Assumptions Used in Traffic Noise Modeling.* The noise measurements discussed above help verify the validity of the noise models used to estimate long-term sound levels associated with the adjacent and nearby roads. Noise levels from existing traffic along Airport Road and SR 46 East were estimated using the standard noise modeling equations and the vehicle type speed algorithms from the Federal Highway Administration *Traffic Noise Model*® as reported by Caltrans (October 1998).

The noise model was checked for calibration based on the field noise measurements conducted at the site. As shown in Table 2, the three 30-minute sound level measurements near the roadways yielded values that varied by 0.0 to 2.5 dBA from the TNM® calculated levels for peak hour. These deviations are within the expected variation between on-site noise level observations and modeled noise levels.

The field measurements and the TNM® are subject to various errors. Field measurements are essentially a "snapshot" in time and are indicative of the environmental conditions and travel patterns that existed on the days of the measurements, and these can vary substantially from day to day and season to season. The noise model is subject to the limitations of the data readily available. The TNM® calculations were considered a reasonable estimate of sound levels and no adjustments to the TNM® values were considered necessary. Therefore, the accuracy of the sound levels reported in this study is considered to be in the  $\pm 2.5$  dB range.

**Table 2. On-Site CNEL, Measured and Modeled (dBA)**

Location	ADT	Measured Leq	Modeled Existing dBA CNEL	Modeled Existing w/ Project dBA CNEL	Modeled Future <sup>1</sup> w/ Project dBA CNEL
Airport Road – 30 minute	5,000	68.0 <sup>2</sup>	70.3 <sup>2</sup>	75.0 <sup>2</sup>	75.0 <sup>2</sup>
Airport Road – 24 hour	5,000	72.8 <sup>2</sup>	70.3 <sup>2</sup>	75.0 <sup>2</sup>	75.0 <sup>2</sup>
SR 46 East	23,000	73.7 <sup>3</sup>	73.7 <sup>3</sup>	74.5 <sup>3</sup>	74.5 <sup>3</sup>
SR 46 East	23,000	-	62.5 <sup>4</sup>	63.3 <sup>4</sup>	63.3 <sup>4</sup>

<sup>1</sup>Future year used in noise modeling is 2010

<sup>2</sup>Results reported at 30 feet from roadway center line—at the edge of proposed development.

<sup>3</sup>Results reported at 100 feet from roadway center line.

<sup>4</sup>Results reported at 0.25 miles (1320 feet) from roadway center line.

Table 2 shows that current modeled noise levels at the edge of the project site could be as high as 75.0 dBA CNEL after completion of the project. The projected increase in traffic volume through 2010 will likely result in a negligible increase in the noise levels at the site. The traffic on Airport Road does create on-site noise levels that are above the City Standard of 65 dBA CNEL for motel and hotel land uses.

The noise modeling, along with verification from field measurements, suggests that the primary noise source will be from traffic on Airport Road. SR 46 East traffic is a minimum of 0.25 miles away from the project site. Due to this distance, it is probable that the traffic along Airport Road is contributing a majority of the traffic noise to the project site. In order to confirm or refute this assumption, the noise model was used to determine the impact of SR 46 East traffic noise on the project site 0.25 miles to the north. The modeled results of SR 46 East traffic noise at a distance of 0.25 miles (1320 feet) show a projected noise level of 63.3 dBA CNEL at the southern boundary of the site due to traffic along SR 46 East considered alone.

**Summary of Findings**

- Prior to project development, traffic noise from Airport Road is above the City standard of 65 dBA CNEL for the western portion of the site, up to 67 feet from the roadway center line. With the projected increase in traffic, after project development this contour is expected to increase to 140 feet from the roadway center line.
- Because of significant distance between the project site and SR 46 East, this roadway does not currently significantly contribute to the onsite noise environment.
- Where exterior uses are proposed within 140 feet of the center line of Airport Road, the proposed project will require mitigation to reduce exterior on-site noise levels to the City standard of 65 dBA CNEL.
- Project components located adjacent to Airport Road, and potentially within the 140-foot 65 dB noise contour, include (from north to south) the restaurant, one of the two 50-room hotels, an outdoor area associated with the vacation "casitas," and the 16-room boutique hotel. None of the vacation "casitas" fall within the 140-foot 65 dB noise contour.
- Additional mitigation measures may be required for reduce interior on-site noise levels to the City standard of 45 dBA CNEL, as well as to mitigate noise impacts due to project construction.

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## **Recommended Mitigation Measures**

### *Construction Noise Attenuation*

- Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with a muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the study area without said muffler.
- All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.
- Whenever feasible, electrical power shall be used to run air compressors and similar power tools.
- Construction activity for site preparation and for future development shall be limited to the hours between 7:00 AM and 7:00 PM, Monday through Friday and Saturday 8:00 AM to 6:00 PM. No construction shall occur on Sundays or State holidays (i.e. Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours.
- For all construction activity on the project site, noise attenuation techniques shall be employed as needed to ensure that noise remains below 65 dBA at nearby residences. Such techniques may include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and affected uses.
- Provide notification to home occupants adjacent to the study area at least 24 hours prior to initiation of construction activities that could significantly affect outdoor or indoor living areas. This notification shall include the anticipated hours and duration of construction and a description of noise reduction measures.
- The applicant shall provide a telephone number for local residents to call to submit complaints associated with construction noise. The number shall be posted along the Airport Road portion of the site and shall be easily viewed from adjacent public areas.

### *Exterior Noise Attenuation*

- Structures located within unacceptable noise contours shall provide attenuation of exterior usable area noise levels to below 65 dBA CNEL. This can be accomplished using one or more of the following methods:
  - A structural setback from the roadways that generate the unacceptable noise levels;
  - Installation of vegetated berms, in combination with structural setbacks from the roadways that generate the unacceptable noise levels;
  - Locate exterior usable areas that border sources of unacceptable noise levels within an interior courtyard.

### *Interior Noise Attenuation*

- The walls, doors and windows of units or buildings that face Airport Road shall be constructed to include sufficient noise attenuation to reduce interior levels to a CNEL of 45 dBA. This would require at a minimum the use of double-paned windows on all floors for those windows that face Airport Road.
  - Windows should have a minimum Standard Transmission Class (STC) of 35 and be properly installed, weather-stripped, and insulated.
  - Doors with a minimum STC of 35 should be used for doorways facing Airport Road and should be insulated in conformance with California Title 24 requirements.
  - The exterior wall facing material shall be stucco and/or shall be designed for a minimum STC of 45.
  - Roof or attic vents facing Airport Road should be baffled.
  - Air conditioning or a mechanical ventilation system should be included in development plans so that windows and doors may remain closed to reduce interior noise to the extent possible.
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**References.**

California Department of Transportation (Caltrans), October 1998. *Traffic Noise Analysis Protocol*.

California Department of Transportation (Caltrans), October 1998. *Traffic Noise Supplement*.

Omni-Means, Ltd., April 2008. *Destino Paso Resort Traffic Impact Study (Draft)*.

Paso Robles, City of, General Plan.

Paso Robles, City of, Noise Ordinance.

U.S. Department of Transportation, February 2003. *FHWA Traffic Noise Model®*. Version 2.1. John A. Volpe National Transportation Systems Center, Acoustics Facility.

**Airport Road 30-minute sample**

Date	Time=05/28/08	4:40:00		L(%)=
Sampling	Time=1			10 67.7
Record	Num=	1801		33 67.4
<b>Leq</b>	<b>Value=68.0</b>	SEL	Value=100.5	<b>50 67.3</b>
<b>MAX</b>	<b>Value=84.0</b>			90 66.7
MIN	Value=42.8			
Freq	Weighting=A	Time	Weighting=Fast	

**SR-46 E, east of Airport Road 30-minute sample**

Date	Time=05/28/08	5:23:00		L(%)=
Sampling	Time=1			10 74.1
Record	Num=	1801		33 74
<b>Leq</b>	<b>Value=73.7</b>	SEL	Value=106.3	<b>50 73.9</b>
<b>MAX</b>	<b>Value=89.8</b>			90 73.3
MIN	Value=50.4			
Freq	Weighting=A	Time	Weighting=Fast	

**SR-46 E, west of Airport Road 30-minute sample**

Date	Time=05/29/08	4:55:00		L(%)=
Sampling	Time=1			10 69.5
Record	Num=	1800		33 69.4
<b>Leq</b>	<b>Value=69.5</b>	SEL	Value=102.1	<b>50 69.3</b>
<b>MAX</b>	<b>Value=85.2</b>			90 68.4
MIN	Value=55.2			
Freq	Weighting=A	Time	Weighting=Fast	

C:\LARDAV\SLMUTIL\AIRPORT.bin Interval Data

Meas	Wind Max	Wind Avg	Wind Max	RMS Dir	Peak Excd	Uwpk Excd	Excd Over	Excd Over	Uwpk	L(10)	L(33)	L(50)	L(90)	@	Max	Count
Site	Date	Time	Duration	Leq	SEL	Lmax	Lmin	Peak	Uwpk	L(10)	L(33)	L(50)	L(90)			
0	28May 08	4:25:02	87000	72.8	122.3	97.2	33	123.8	124.7	76.4	62.4	52.9	38	N		255

# ROADWAY TRAFFIC NOISE

Project: Handley Destino Paso Resort Hotel Project No. 08-62620  
 Date: 30-May-08

Roadway: Airport Road

## PROJECT DATA and ASSUMPTIONS

Vehicle Reference Energy Mean Emission Levels (FHWA 1977, TNM®, or CALVENO): TNM  
 Distance to Receptor: 30 feet  
 Site Condition (Hard or Soft): Hard  
 Upgrade longer than 1 mile: 0 %  
 Existing Total Traffic Volume (ADT): 5,000 vehicles  
 Ambient Growth Factor: 0.0%  
 Future Year : 2010  
 Total Project Volume (ADT): 9058 vehicles  
 Total Cumulative Growth Volume (ADT): vehicles  
 Source of Traffic Data: Omni-Means

### Daily Vehicle Mix

	Existing	Project	Future
Automobile	97.5%	93.4%	97.5%
Medium Truck	1.8%	6.2%	1.8%
Heavy Truck	0.7%	0.4%	0.7%

Source: Observed traffic/Assumed given land use and road characteristics

### Percentage of Daily Traffic

	Existing and Future		
	Day (7 am-7 pm)	Evening (7-10 pm)	Night (10 pm - 7 am)
Automobile	77.5%	12.9%	9.6%
Medium Truck	84.8%	4.9%	10.3%
Heavy Truck	86.5%	2.7%	10.8%

Source: Default Assumption

	Project		
	Day (7 am-7 pm)	Evening (7-10 pm)	Night (10 pm - 7 am)
Automobile	77.5%	12.9%	9.6%
Medium Truck	84.8%	4.9%	10.3%
Heavy Truck	86.5%	2.7%	10.8%

Source: Default Assumption

### Average Speed

	Existing		
	Day (7 am-7 pm)	Evening (7-10 pm)	Night (10 pm - 7 am)
Automobile	55	55	55
Medium Truck	55	55	55
Heavy Truck	55	55	55

Source: Speed Limit

	Future		
	Day (7 am-7 pm)	Evening (7-10 pm)	Night (10 pm - 7 am)
Automobile	55	55	55
Medium Truck	55	55	55
Heavy Truck	55	55	55

Source: Speed Limit



## ROADWAY TRAFFIC NOISE

Project: Handley Destino Paso Resort Hotel  
 Date: 30-May-08

Project No. 08-62620

Roadway: Airport Road

Vehicle Noise Emission Levels\*: TNM

### RESULTS

DAY-NIGHT AVERAGE LEVEL (Ldn)	Ldn at Site	Distance to dBA Contour Line from roadway centerline, feet				
	30 feet from road centerline	75	70	65	60	55
Existing	69.7 dBA	#N/A	28	62	134	288
Existing + Project	74.5 dBA	27	60	129	277	597
Future with Ambient Growth	69.7 dBA	#N/A	28	62	134	288
Future with Ambient Growth and Project	74.5 dBA	27	60	129	277	597
Future with Ambient Growth and Cumulative Projects	69.7 dBA	#N/A	28	62	134	288
Future with Ambient, Cumulative, and Project Growth	74.5 dBA	27	60	129	277	597
Change in Noise Levels						
Due to Project	4.8 dBA					
Due to Ambient Growth	0.0 dBA					
Due to Ambient and Cumulative	0.0 dBA					
Due to All Future Growth	4.8 dBA					

COMMUNITY NOISE EXPOSURE LEVEL (CNEL)	CNEL at Site	Distance to dBA Contour Line from roadway centerline, feet				
	30 feet from road centerline	75	70	65	60	55
Existing	70.3 dBA	#N/A	32	67	145	313
Existing + Project	75.0 dBA	30	65	140	301	648
Future with Ambient Growth	70.3 dBA	#N/A	32	67	145	313
Future with Ambient Growth and Project	75.0 dBA	30	65	140	301	648
Future with Ambient Growth and Cumulative Projects	70.3 dBA	#N/A	32	67	145	313
Future with Ambient, Cumulative, and Project Growth	75.0 dBA	30	65	140	301	648
Change in Noise Levels						
Due to Project	4.7 dBA					
Due to Ambient Growth	0.0 dBA					
Due to Ambient and Cumulative	0.0 dBA					
Due to All Future Growth	4.7 dBA					

\*NOTES: Based on algorithms from the Federal Highway Administration "Traffic Noise Model ©", FHWA-PD-96-010, January, 1998.

#N/A = Not Applicable

# ROADWAY TRAFFIC NOISE

Project: Handley Destino Paso Resort Hotel Project No. 08-62620  
 Date: 30-May-08

Roadway: SR-46 East

## PROJECT DATA and ASSUMPTIONS

Vehicle Reference Energy Mean Emission Levels (FHWA 1977, TNM®, or CALVENO): TNM  
 Distance to Receptor: 100 feet  
 Site Condition (Hard or Soft): Hard  
 Upgrade longer than 1 mile: 0 %  
 Existing Total Traffic Volume (ADT): 23,000 vehicles  
 Ambient Growth Factor: 0.0%  
 Future Year : 2009  
 Total Project Volume (ADT): 6882 vehicles  
 Total Cumulative Growth Volume (ADT): vehicles  
 Source of Traffic Data: Omni-Means

### Daily Vehicle Mix

	Existing	Project	Future
Automobile	90.6%	93.4%	90.6%
Medium Truck	0.7%	6.2%	0.7%
Heavy Truck	8.7%	0.4%	8.7%

Source: Observed traffic/Assumed given land use and road characteristics

### Percentage of Daily Traffic

	Existing and Future		
	Day (7 am-7 pm)	Evening (7-10 pm)	Night (10 pm - 7 am)
Automobile	77.5%	12.9%	9.6%
Medium Truck	84.8%	4.9%	10.3%
Heavy Truck	86.5%	2.7%	10.8%

Source: Default Assumption

	Project		
	Day (7 am-7 pm)	Evening (7-10 pm)	Night (10 pm - 7 am)
Automobile	77.5%	12.9%	9.6%
Medium Truck	84.8%	4.9%	10.3%
Heavy Truck	86.5%	2.7%	10.8%

Source: Default Assumption

### Average Speed

	Existing		
	Day (7 am-7 pm)	Evening (7-10 pm)	Night (10 pm - 7 am)
Automobile	55	55	55
Medium Truck	55	55	55
Heavy Truck	55	55	55

Source: Speed Limit

	Future		
	Day (7 am-7 pm)	Evening (7-10 pm)	Night (10 pm - 7 am)
Automobile	55	55	55
Medium Truck	55	55	55
Heavy Truck	55	55	55

Source: Speed Limit

## ROADWAY TRAFFIC NOISE

Project: Handley Destino Paso Resort Hotel  
 Date: 30-May-08

Project No. 08-62620

Roadway: SR-46 East

Vehicle Noise Emission Levels\*: TNM

### RESULTS

DAY-NIGHT AVERAGE LEVEL (Ldn)	Ldn at Site 100 feet from road centerline	Distance to dBA Contour Line from roadway centerline, feet				
		75	70	65	60	55
Existing	73.4 dBA	78	168	361	778	1677
Existing + Project	74.1 dBA	88	189	407	877	1890
Future with Ambient Growth	73.4 dBA	78	168	361	778	1677
Future with Ambient Growth and Project	74.1 dBA	88	189	407	877	1890
Future with Ambient Growth and Cumulative Projects	73.4 dBA	78	168	361	778	1677
Future with Ambient, Cumulative, and Project Growth	74.1 dBA	88	189	407	877	1890
Change in Noise Levels						
Due to Project	0.8 dBA					
Due to Ambient Growth	0.0 dBA					
Due to Ambient and Cumulative	0.0 dBA					
Due to All Future Growth	0.8 dBA					

COMMUNITY NOISE EXPOSURE LEVEL (CNEL)	CNEL at Site 100 feet from road centerline	Distance to dBA Contour Line from roadway centerline, feet				
		75	70	65	60	55
Existing	73.7 dBA	82	177	382	823	1774
Existing + Project	74.5 dBA	93	201	432	931	2006
Future with Ambient Growth	73.7 dBA	82	177	382	823	1774
Future with Ambient Growth and Project	74.5 dBA	93	201	432	931	2006
Future with Ambient Growth and Cumulative Projects	73.7 dBA	82	177	382	823	1774
Future with Ambient, Cumulative, and Project Growth	74.5 dBA	93	201	432	931	2006
Change in Noise Levels						
Due to Project	0.8 dBA					
Due to Ambient Growth	0.0 dBA					
Due to Ambient and Cumulative	0.0 dBA					
Due to All Future Growth	0.8 dBA					

\*NOTES: Based on algorithms from the Federal Highway Administration "Traffic Noise Model ©", FHWA-PD-96-010, January, 1998.

#N/A = Not Applicable

# ROADWAY TRAFFIC NOISE

Project: Handley Destino Paso Resort Hotel Project No. 08-62620  
 Date: 30-May-08  
 Roadway: SR-46 East, West of Airport Rd.

## PROJECT DATA and ASSUMPTIONS

Vehicle Reference Energy Mean Emission Levels (FHWA 1977, TNM@, or CALVENO): TNM  
 Distance to Receptor: 100 feet  
 Site Condition (Hard or Soft): Hard  
 Upgrade longer than 1 mile: 0 %  
 Existing Total Traffic Volume (ADT): 23,000 vehicles  
 Ambient Growth Factor: 0.0%  
 Future Year : 2010  
 Total Project Volume (ADT): 13633 vehicles  
 Total Cumulative Growth Volume (ADT): vehicles  
 Source of Traffic Data: Omni-Means

### Daily Vehicle Mix

	<i>Existing</i>	<i>Project</i>	<i>Future</i>
Automobile	90.6%	93.4%	90.6%
Medium Truck	0.7%	6.2%	0.7%
Heavy Truck	8.7%	0.4%	8.7%

Source: Observed traffic/Assumed given land use and road characteristics

### Percentage of Daily Traffic

	<i>Existing and Future</i>		
	<i>Day (7 am-7 pm)</i>	<i>Evening (7-10 pm)</i>	<i>Night (10 pm - 7 am)</i>
Automobile	77.5%	12.9%	9.6%
Medium Truck	84.8%	4.9%	10.3%
Heavy Truck	86.5%	2.7%	10.8%

Source: Default Assumption

	<i>Project</i>		
	<i>Day (7 am-7 pm)</i>	<i>Evening (7-10 pm)</i>	<i>Night (10 pm - 7 am)</i>
Automobile	77.5%	12.9%	9.6%
Medium Truck	84.8%	4.9%	10.3%
Heavy Truck	86.5%	2.7%	10.8%

Source: Default Assumption

### Average Speed

	<i>Existing</i>		
	<i>Day (7 am-7 pm)</i>	<i>Evening (7-10 pm)</i>	<i>Night (10 pm - 7 am)</i>
Automobile	55	55	55
Medium Truck	55	55	55
Heavy Truck	55	55	55

Source: Speed Limit

	<i>Future</i>		
	<i>Day (7 am-7 pm)</i>	<i>Evening (7-10 pm)</i>	<i>Night (10 pm - 7 am)</i>
Automobile	55	55	55
Medium Truck	55	55	55
Heavy Truck	55	55	55

Source: Speed Limit

## ROADWAY TRAFFIC NOISE

Project: Handley Destino Paso Resort Hotel  
 Date: 30-May-08

Project No. 08-62620

Roadway: SR-46 East, West of Airport Rd.

Vehicle Noise Emission Levels\*: TNM

### RESULTS

DAY-NIGHT AVERAGE LEVEL (Ldn)	Ldn at Site		Distance to dBA Contour Line from roadway centerline, feet				
	100 feet from road centerline		75	70	65	60	55
Existing	73.4 dBA		78	168	361	778	1677
Existing + Project	74.8 dBA		97	209	450	969	2088
Future with Ambient Growth	73.4 dBA		78	168	361	778	1677
Future with Ambient Growth and Project	74.8 dBA		97	209	450	969	2088
Future with Ambient Growth and Cumulative Projects	73.4 dBA		78	168	361	778	1677
Future with Ambient, Cumulative, and Project Growth	74.8 dBA		97	209	450	969	2088
Change in Noise Levels							
Due to Project	1.4 dBA						
Due to Ambient Growth	0.0 dBA						
Due to Ambient and Cumulative	0.0 dBA						
Due to All Future Growth	1.4 dBA						

COMMUNITY NOISE EXPOSURE LEVEL (CNEL)	CNEL at Site		Distance to dBA Contour Line from roadway centerline, feet				
	100 feet from road centerline		75	70	65	60	55
Existing	73.7 dBA		82	177	382	823	1774
Existing + Project	75.2 dBA		103	222	479	1031	2222
Future with Ambient Growth	73.7 dBA		82	177	382	823	1774
Future with Ambient Growth and Project	75.2 dBA		103	222	479	1031	2222
Future with Ambient Growth and Cumulative Projects	73.7 dBA		82	177	382	823	1774
Future with Ambient, Cumulative, and Project Growth	75.2 dBA		103	222	479	1031	2222
Change in Noise Levels							
Due to Project	1.5 dBA						
Due to Ambient Growth	0.0 dBA						
Due to Ambient and Cumulative	0.0 dBA						
Due to All Future Growth	1.5 dBA						

\*NOTES: Based on algorithms from the Federal Highway Administration "Traffic Noise Model ©", FHWA-PD-96-010, January, 1998.

#N/A = Not Applicable