

TO: Planning Commission

FROM: Ed Gallagher, Community Development Director

SUBJECT: Planned Development Amendment 01-025, Conditional Use Permit Amendment 01-017, Lot Line Adjustment PR 13-0102, and Oak Tree Removal Permit 14-003 – Entrada de Paso Robles

DATE: May 13, 2014

NEEDS: For the Planning Commission to consider a request to amend a Development Plan and Conditional Use Permit, approve a Lot Line Adjustment, and consider a recommendation to City Council to approve removal of oak trees for the Entrada de Paso Robles project.

FACTS:

1. The project, previously referred to as the Black Ranch Resort, is located at 4380 Highway 46 East. The area is bounded by State Route 46 East on the South, Dry Creek Road on the North, a winery directly to the West near the highway, and rural/agricultural properties to the East and West (north of the winery). See Vicinity Map, Attachment 1.
2. The Project was originally approved by the Planning Commission in February 2002. The Planning Commission has approved multiple Time Extensions that have kept the entitlements active, most recently in December 2013.
3. The amendment request consists of maintaining the approved resort complex, which includes a 200-room hotel, 80 guest casitas units, a conference center, café and a wine center, but eliminating the (approved) 27-hole hole golf course and replacing it with a “garden-themed” destination park attraction, a 3-hole golf academy, ornamental landscaping production areas (identified as “crop production” areas on the Master Site Plan), an 18-acre vineyard, and ancillary site improvements. The garden-park is referred to as Discovery Gardens. The Black Ranch Master Plan and the Entrada de Paso Robles Master Site Development Plan are provided in Attachment 2.
4. Approximately 346 acres of the property is designated in the General Plan Land Use Element and is zoned as Parks and Open Space (POS), and 40 acres (in the northernmost portion of the site that is adjacent to Dry Creek Road) are designated and zoned as Agriculture (AG). Hotels are “conditionally” permitted uses in the POS and AG zone, as well as outdoor recreational uses, such as golf courses or the garden-park.
5. The site is also designated in the Gateway Design Standards, in Gateway Area H - “Highway 46 East”. It is also identified as a scenic corridor in the Conservation Element of the General Plan.
6. In compliance with the California Environmental Quality Act (CEQA), an Addendum to the adopted Mitigated Negative Declaration was prepared for this project. The Addendum documents that the proposed (revised) project would not result in additional or more severe environmental effects than what was approved for the original project. See Attachment 3, Resolution to adopt the Addendum.

7. The Development Review Committee (DRC) reviewed the site plan and elevations for this project on March 24, 2014. The DRC recommended the project design to the Planning Commission for consideration. Several Commissioners also participated in a site tour on May 7, 2014.

**ANALYSIS &
CONCLUSION:**

The proposed project would develop approximately 132 acres of the 386 acre property. During construction, up to 200 acres would be disturbed to facilitate grading for the buildings, garden area, golf course academy, crop production areas, and roads. The project is proposed to be Phased. The Discovery Gardens are proposed to be developed in Phase I, followed with development of an educational demonstration garden area and the wine center as Phase IA. Phase 2 would include the resort, conference center and golf academy. Ornamental landscaping production areas (1 & 2) are also proposed with Phase I. Approximately 18 acres are also proposed near the site entrances of vineyards. The balance of the undeveloped areas of the site would remain in open space and be left in a natural condition. The applicant proposes to manage the open space areas under an Open Space Management Plan, which is described in the Biological Study attached to the Addendum.

Discovery Gardens would include an entry building, a few small maintenance and restroom buildings, café, underground tunnel building for the “Tunnel Obscura”, and parking lots. The general development program for the resort and conference center is not proposed to be modified from the original entitlement. Since this phase of the project would not be developed for several years in the future, the applicant is not proposing specific architectural designs for the resort at this time. However, Phase 2 would be required to be in substantial conformance with the building envelopes identified in the Site Plan, building massing shown on the photo-simulations, and the Gateway Design Standards. All phases of development would be required to be reviewed and approved by the Development Review Committee for final designs.

As noted in Item #6 above, in compliance with CEQA, an Addendum to the adopted Mitigated Negative Declaration (MND) was prepared for this project. In accordance with CEQA, an Addendum may be prepared for a project when it can be demonstrated that proposed modifications to a project would not result in new impacts or more severe impacts which would require new mitigation measures to reduce potential environmental impacts to a less than significant level. The analysis concludes that the proposed modifications would not result in new or more significant impacts that could not be adequately mitigated with the mitigation measures already adopted with the prior MND. The major issues are noted below, however an in-depth analysis of each issue is included in the Addendum provided in Attachment 3.

Drainage

There are existing drainage features on the property. A couple drainages have man-made in-stream ponds previously used for cattle grazing. The drainage features are part of the Dry Creek watershed. The drainages would mostly be maintained in a natural condition and maintain the existing natural hydrological functions of the drainages within the existing watershed. The drainages in the Garden area would be improved and integrated into the Garden design.

Water

As noted above, the proposed project has been modified from the originally approved project with respect to the outdoor commercial uses. The applicant prepared a water demand comparison that analyses the difference between what the Black Ranch project is entitled to use and the water demand for the proposed project. The analysis indicates that the entire project would use about 238.8 acre-feet per year (AFY) of water, which is approximately 42 percent of what the original project is permitted to use (i.e. 569.2 AFY). This includes use of City potable water for “urban uses” including the resort, restaurants and conference center with the remainder of the development proposed to use existing wells. The prior golf course component of the project would have used approximately 508.4 AFY of private well water, as compared to 90.9 AFY (18%) for the Discovery Gardens and crop areas. See Addendum, Attachment 3, Water Use Narrative.

The City’s 2010 Urban Water Management Plan (UWMP) is a comprehensive analysis that projects the overall water demands for the City. The UWMP is based on assumptions of what the typical water demands require for land uses in various zoning districts. The UWMP includes development of Black Ranch in the plan assumptions. Since the proposed project would use less water than anticipated in the assumptions of the UWMP, it can be determined that the proposed project is consistent with the UWMP. Additionally, the project is proposed to be conditioned to require use of recycled City water when it becomes available and is offered to the applicant for Phases I & IA of the project. Therefore, in the future this project could be sustained with no direct reliance on groundwater which would be a significant improvement over what is already permitted for this property.

Storm Water

The project has been designed to accommodate storm water management on-site. The applicant submitted a Storm Water Control Plan that includes strategies to comply with State storm water requirements. The plan includes many Low-Impact Development (LID) features to retain storm water on the project site and help recharge the groundwater basin. See Addendum, Attachment 3, Storm Water Control Plan.

Wastewater

Phases I and IA propose to use onsite septic tanks for wastewater disposal. Phase 2 would require connection to the City sewer system. Phases I and IA would connect to sewer facilities when Phase 2 is constructed. The City’s wastewater treatment plant has adequate capacity to accommodate this project.

Traffic

A traffic generation study was prepared for the Entrada Project. It concludes that the revised project would result in approximately 800 fewer vehicle trips per day, which will reduce the overall amount of traffic congestion from the project, as well as the overall amount of air pollution from operational (mobile) emissions as compared to the prior approved project. The project includes 641 guest parking spaces. This complies with the City’s parking standards for hotels, assembly uses, outdoor use area, and restaurants. See Addendum, Attachment 3, Traffic Generation Study, and Attachments 5 & 6 for Air Pollution and GHG Impact Studies.

Oak Trees

The environmental analysis indicated that the prior project would have required removal of significantly more oak trees (approximately 8 percent of the existing oak tree canopy on the site), however the actual number of trees was not identified. The prior project was conditioned and mitigated for up to a maximum of 10 percent removal of all oak trees on the project site. The proposed project includes a request to remove 175 oak trees, most of which are in poor to very poor health. This represents up to 9.3 percent of the existing oak trees on the site. Therefore, the overall amount of oak trees requested for removal would be less than the 10 percent allowed for removal under the prior entitlements. Per the City's Oak Tree Preservation Ordinance, oak tree replacements are proposed for oak trees proposed from removal. See Addendum, Attachment 3, Arborist Report.

Views

The applicant prepared photo-simulations of the project, as it would be viewed from SR 46 E. Phase I would be below grade from the highway and would not be visible from the highway. Given the topography near the hotel, conference center and casitas, westbound views would be mostly screened by existing hillsides above grade from the highway. The eastbound view of the hotel would be the most visible, however it is proposed to be set back a couple hundred feet from the highway, and incorporate high-quality architecture in keeping with the Gateway Design Standards. The applicant proposes to use contour grading techniques for building pads and roads so that landform alterations fit in with the surrounding natural landscape to the extent possible. The low-density spacing of the buildings proposed on the site is in keeping with the rural landscape of wineries, agricultural buildings and other development in the vicinity.

Policy

Reference:

City of Paso Robles 2003 General Plan Update and EIR, Economic Strategy, Zoning Ordinance, Gateway Design Standards, 2010 Urban Water Management Plan, 2007 Sewer Master Plan, CEQA.

Fiscal

Impact:

No fiscal impacts identified.

Options:

After opening the public hearing and taking public testimony, the Planning Commission is requested to take one of the actions listed below:

a. By separate motions:

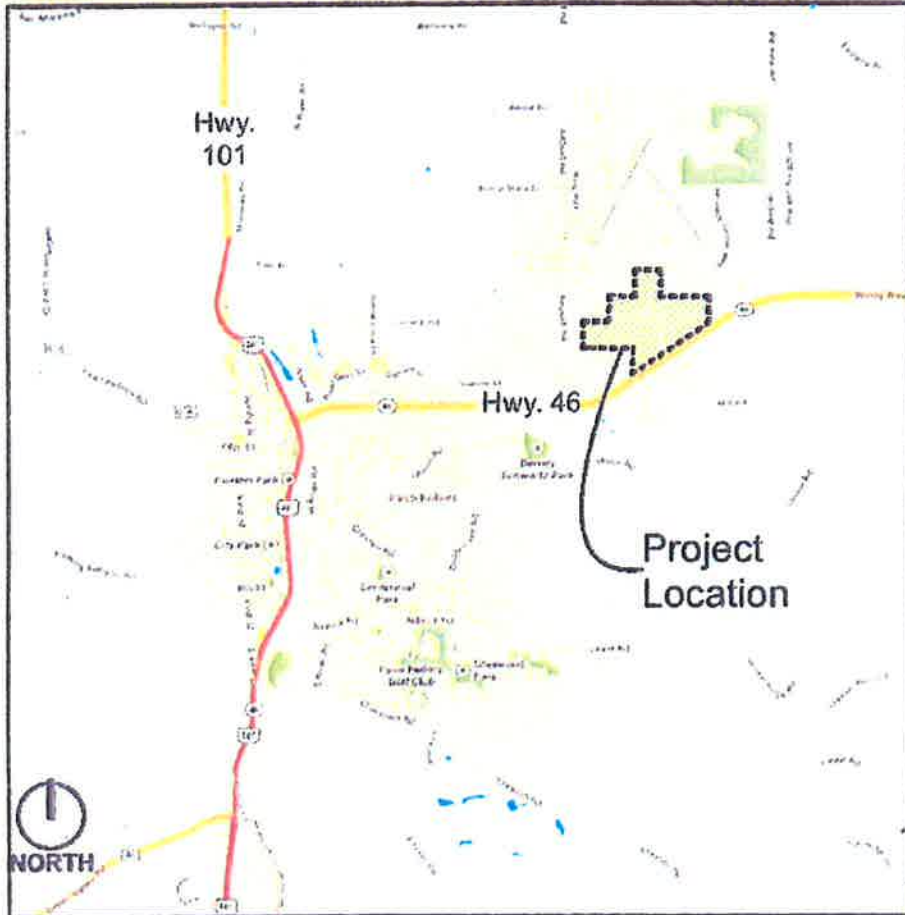
- (1) Adopt Resolution No. 14-XX, an Addendum to a Mitigated Negative Declaration for PD Amendment 01-025, CUP Amendment 01-017, and Oak Tree Removal Permit 14-003.
- (2) Adopt Resolution No. 14 XX, approving PD Amendment 01-025;
- (3) Adopt Resolution No. 14-XX, approving CUP Amendment 01-017;
- (4) Adopt Resolution No. 14-XX, approving Lot Line Adjustment PR 13-0102
- (5) Recommend that the City Council adopt Resolution No. 14-XX, approving the Oak Tree Removal Permit 14-003.

b. Amend, modify, or reject the above-listed action.

Attachments:

- 1 – Vicinity Map
- 2 – Black Ranch Master Site Plan and Entrada de Paso Robles Master Site Development Plans
- 3 - Entrada de Paso Robles Master Site Development Plan Packet
- 4 – Resolution for the Addendum to the Mitigated Negative Declaration, with Addendum, Mitigation Monitoring and Reporting Program and Special Studies
- 5 – Resolution for the Planned Development Amendment
- 6 – Resolution for the Conditional Use Permit Amendment
- 7 – Resolution for the Lot Line Adjustment
- 8 – Resolution for the Oak Tree Removal Permit
- 9 – Memo from the City Engineer
- 10 – News Notice and Notice Affidavit

VICINITY MAP



ENTRADA de PASO ROBLES

HIGHWAY 46 • PASO ROBLES, CALIFORNIA

SHEET INDEX

- A-0 Title Sheet
- A-1 Master Site Plan
- A-2 Phase 1 Site Plan
- A-3 Phase 1A Site Plan
- A-4 Phase 2 Site Plan
- A-5 Comparison Study - Uses
- A-6 Comparison Study - Parking
- A-7a Comparison Study - Landscape Water Use
- A-7b Comparison Study - Potable Water Use
- A-8 Black Ranch & Golf Course Water Use
- A-9a Discovery Gardens Phase 1 Water Use
- A-9b Discovery Gardens Phase 1A Water Use
- A-9c La Entrada Resort Phase 2 Water Use
- A-9d Discovery Gardens Vineyard Irrig. Water Use
- A-10 Discovery Gardens View Analysis
- A-11 Discovery Gardens Site Plan
- A-12 Discovery Gardens - Portal to Discovery
- A-13 Discovery Gardens - Portal to Discovery
- A-14 Discovery Gardens - Garden of the Mind
- A-15 Discovery Gardens - Garden of the Senses
- A-16 Discovery Gardens - Discovery Lake
- A-17 Discovery Gardens - Garden of Adventure
- B-1 Lot Line Adjustment
- C-1 to C-12 Grading, Drainage & Utility Plans
- V-1 Site View Analysis Key Plan
- V-2 Site Simulated View Composite Photos
- V-3 Site Simulated View Composite Photos
- V-4 Site Simulated View Composite Photos
- V-5 Site Simulated View Composite Photos
- V-6 Site Simulated View Composite Photos
- V-7 Site Simulated View Composite Photos

PROJECT DESCRIPTION

FEATURES

Formerly approved in 2004 as the Black Ranch Resort development project, presented here is a revised development plan for this property entitled Entrada de Paso Robles. Along with a proposed lot line adjustment for the property, the Entrada de Paso Robles project scope will encompass the following elements:

- Resort Hotel and Conference Facilities
- Dining Facilities
- Health Spa
- Discovery Gardens
- Wine Center
- Outdoor Exhibition Area
- Botanical Educational Center
- 3-Hole Golf Academy

PHASED DEVELOPMENT

This development is being proposed in the following three phases:

Phase 1 - Discovery Gardens, Maintenance Facilities, Crop Production Areas, and related Infrastructure (parking and roadways);

Phase 1A - Expansion of Discovery Gardens, including Wine Center, Outdoor Exhibition Area, Botanical Educational Center, and related Infrastructure;

Phase 2 - Resort Hotel and Conference Center (including Dining Facilities), Casitas Bungalows, Health Spa Facilities, 3-Hole Golf Academy, and related Infrastructure.

COMPARE AND CONTRAST SUMMARY

The Entrada de Paso Robles project is in substantial conformance with the previously approved and currently entitled Black Ranch Resort project for the site. Following is a summary comparison of key features. For detailed comparison tables, refer to sheets A-5 through A-9. Additional Compare and Contrast Reports are submitted under separate cover.

	Entrada de Paso Robles	Black Ranch Resort
Total Developed Area (Acres)	131.9	148.3
Total Parking Spaces	641	645
Water Use (AFY), See Water Use Narrative	246.8	569.2
Landscape Water Use	Refer to sheet A-7a.	
Potable Water Demand	Refer to sheet A-7b.	

Biological Study

Review of existing conditions documented in the Tupen 1998 report still adequately characterizes the plant community distribution, drainage features and constructed ponds present onsite. Potential impacts associated with future development were identified and recommended mitigation was included in the 1998 report. While the identified impacts and recommended mitigation sufficiently capture the nature and extent of impacts associated with future development, site specific analysis and project refinement would need to be conducted through surveys prior to commencement of construction.

Traffic Impact

Average daily trip generations are less than those for the Black Ranch Project, see Trip Generation Comparison Report under separate cover.

Air Quality & Greenhouse Gas Impact

Air Quality Studies: Preliminary air quality modeling was conducted by Kurt Legleiter of Ambient Air Quality and Noise Consulting. The modeling results are preliminary and subject to change as the project is further defined.

Construction Emissions of Ozone-Precursors and Particulate Matter: Construction-generated emissions were quantified for daily and quarterly conditions. Based on the preliminary modeling results, construction-generated emissions do not exceed the APCD's significance thresholds.

Operational Emissions of Ozone-Precursors and Particulate Matter: Operational emissions were quantified for daily and annual conditions. Based on the preliminary modeling results, mitigated annual emissions would not exceed the APCD's thresholds, however, daily operational emissions would exceed the thresholds. Levels in excess of APCD's threshold will be mitigated to the extent appropriate.

Greenhouse Gas Emissions: Operational Green house Gas emissions were quantified on a preliminary modeling over the assumed 25 year life of the project. Based on the preliminary modeling results life-time Green house gas emissions exceeding the APCD's annual threshold will be mitigated to the extent appropriate.

Hydrology Impact

The project is in conformance with the 100-year storm event analysis prepared by EDA dated November 2007. There is no increase in flow from the proposed development to Dry Creek or storm drain piping adjacent to Highway 46 for the 25 year storm event. Refer to C Sheets, Stormwater Control Plan and the EDA Drainage Report under separate cover.

Arborist Report

A total of 164 oak trees are anticipated to be removed or impacted by Phase 1 and Phase 1A of the project. Phase 2 impacts will be evaluated and approved later. Refer to C Sheets and Arborist Report under separate cover.

Wastewater Information

Refer to sheet C-12 for Phase 1 on-site septic system location. Refer to the Percolation testing reports under separate cover.

PROPERTY DESCRIPTION

Parcel Numbers
025-436-004
025-436-011
025-436-040

Site	Township	Range
S13	T26S	R12E
S24	T26S	R12E
S19	T26S	R13E

Mount Diablo Meridian

City of El Paso De Robles,
County of San Luis Obispo,
State of California

Total Site Area: 386 Acres
General Plan Designation: POS/AG

VICINITY MAP



Date: 2/19/14
File name: Discovery Gardens Site 5.1.wx

ENTRADA de PASO ROBLES
HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Title Sheet

A-0

CALL-OUT NOTES

- 1 MAIN ROADWAY
- 2 PROPOSED LOT LINE ADJUSTMENT
- 3 VERNAL POOL LOCATION
- 4 VERNAL POOL WATERSHED AREA
- 5 MAIN PROJECT ENTRY
- 6 EMERGENCY VEHICLE ENTRANCE
- 7 ROADWAY
- 8 CALTRANS RIGHT-OF-WAY
- 9 PERIMETER PROPERTY LINE
- 10 EXISTING UNPAVED RANCH ROAD
- 11 EXISTING PONDS
- 12 PROPERTY WELLS
- 13 MAINTENANCE YARD
- 14 DRIVING RANGE
- 15 3 HOLE GOLF COURSE
- 16 PRACTICE TEE
- 17 TEACHING CENTER
- 18 CLUBHOUSE
- 19 PUTTING GREEN
- 20 VEHICLE ENTRANCE

MASTER SITE FEATURES

- 1 HOTEL, RESTAURANT & RESORT
- 2 CONFERENCE CENTER & HOTEL
- 3 CASITAS HOTEL BUNGALOWS, 80 UNITS
- 4 HEALTH SPA
- 5 GOLF ACADEMY
- 6 DISCOVERY GARDENS
- 7 SUPPORT SERVICES/MAINTENANCE FACILITY
- 8 OUTDOOR EXHIBITION
- 9 BOTANICAL EDUCATIONAL CENTER
- 10 CROP PRODUCTION
- 11 WINE CENTER
- 12 VEHICULAR BRIDGE

PLANTING LEGEND - WATER USE

- LOW WATER USE PLANTING
- MEDIUM WATER USE PLANTING
- HIGH WATER USE PLANTING
- GOLF - GRASS AREA
- GOLF - SYNTHETIC GRASS AREA



Date: 11/22/13
File name: Discovery Gardens Site 5.1.mxd

CALL-OUT NOTES

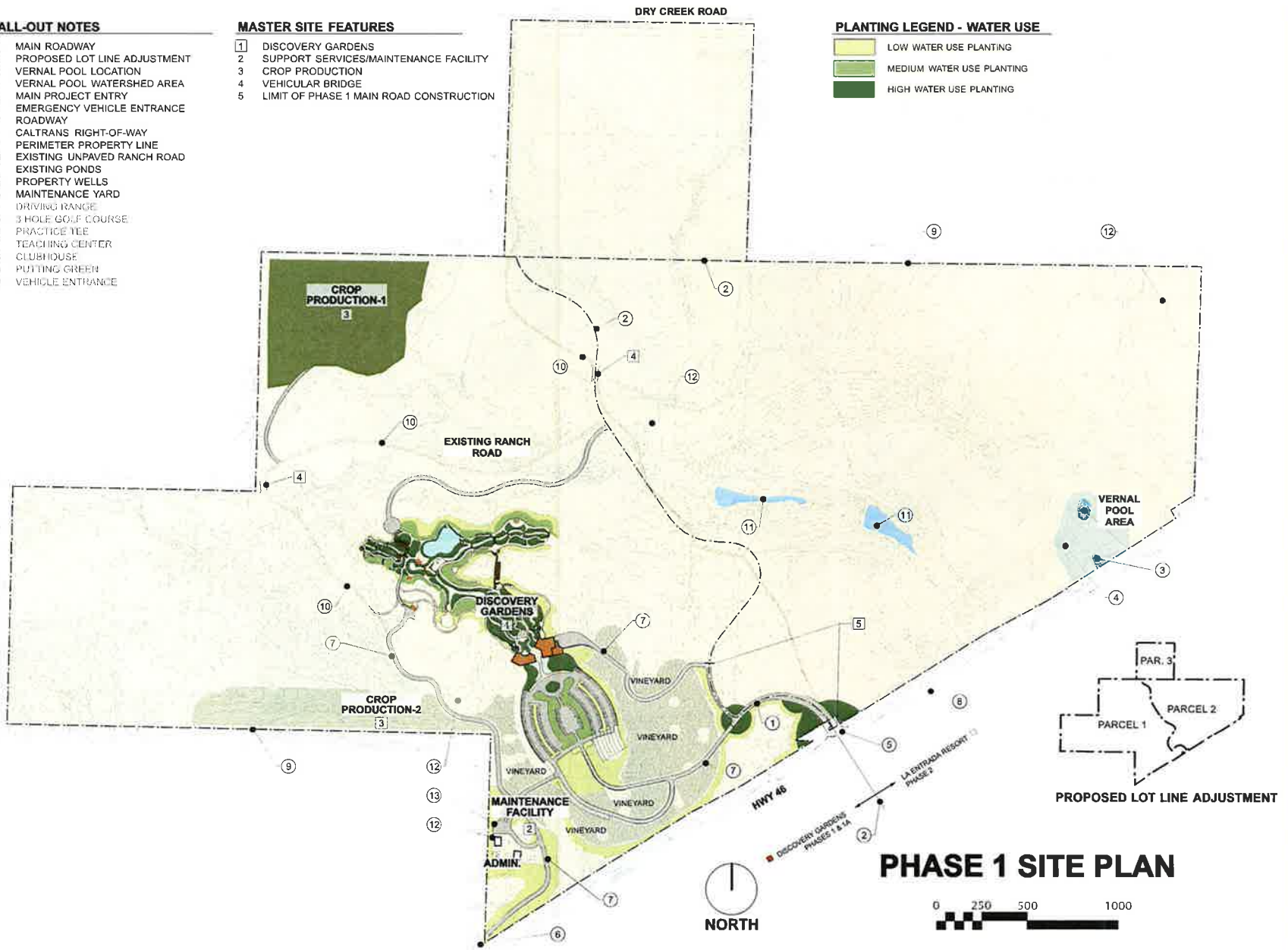
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- 4 VERNAL POOL WATERSHED AREA
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- 7 CALTRANS RIGHT-OF-WAY
- 8 PERIMETER PROPERTY LINE
- 9 EXISTING UNPAVED RANCH ROAD
- 10 EXISTING PONDS
- 11 PROPERTY WELLS
- 12 MAINTENANCE YARD
- 13 DRIVING RANGE
- 14 3 HOLE GOLF COURSE
- 15 PRACTICE TEE
- 16 TEACHING CENTER
- 17 CLUBHOUSE
- 18 PUTTING GREEN
- 19 VEHICLE ENTRANCE

MASTER SITE FEATURES

- 1 DISCOVERY GARDENS
- 2 SUPPORT SERVICES/MAINTENANCE FACILITY
- 3 CROP PRODUCTION
- 4 VEHICULAR BRIDGE
- 5 LIMIT OF PHASE 1 MAIN ROAD CONSTRUCTION

PLANTING LEGEND - WATER USE

- LOW WATER USE PLANTING
- MEDIUM WATER USE PLANTING
- HIGH WATER USE PLANTING



Date: 11/22/13
File name: Discovery Gardens Site 5.1.lwk




CALL-OUT NOTES

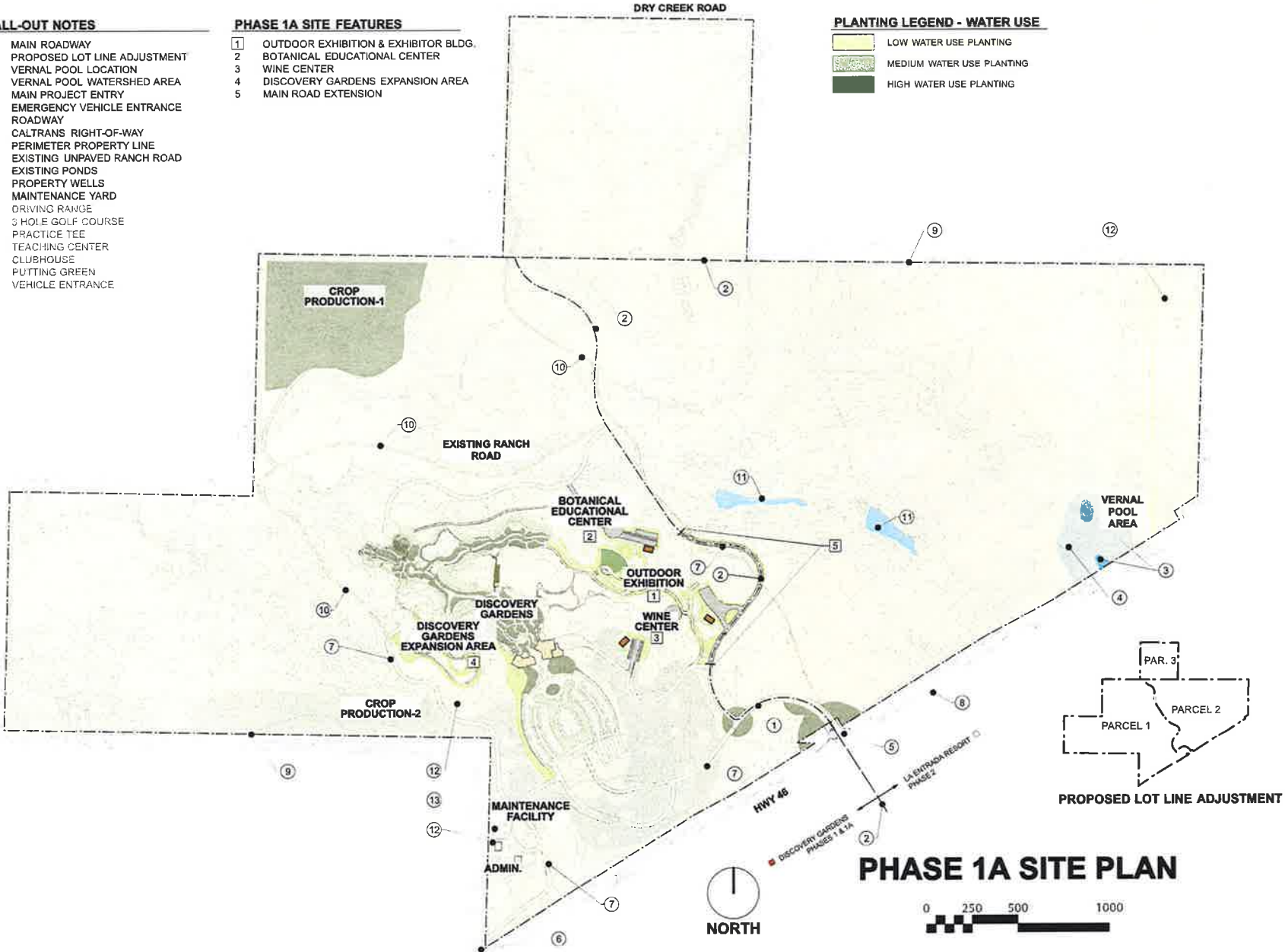
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- 17 CLUBHOUSE
- 18 PUTTING GREEN
- 19 VEHICLE ENTRANCE
- 20

PHASE 1A SITE FEATURES

- 1 OUTDOOR EXHIBITION & EXHIBITOR BLDG.
- 2 BOTANICAL EDUCATIONAL CENTER
- 3 WINE CENTER
- 4 DISCOVERY GARDENS EXPANSION AREA
- 5 MAIN ROAD EXTENSION

PLANTING LEGEND - WATER USE

-  LOW WATER USE PLANTING
-  MEDIUM WATER USE PLANTING
-  HIGH WATER USE PLANTING



Date: 11/22/13
File name: Discovery Gardens Site 5.1.vwx

CALL-OUT NOTES

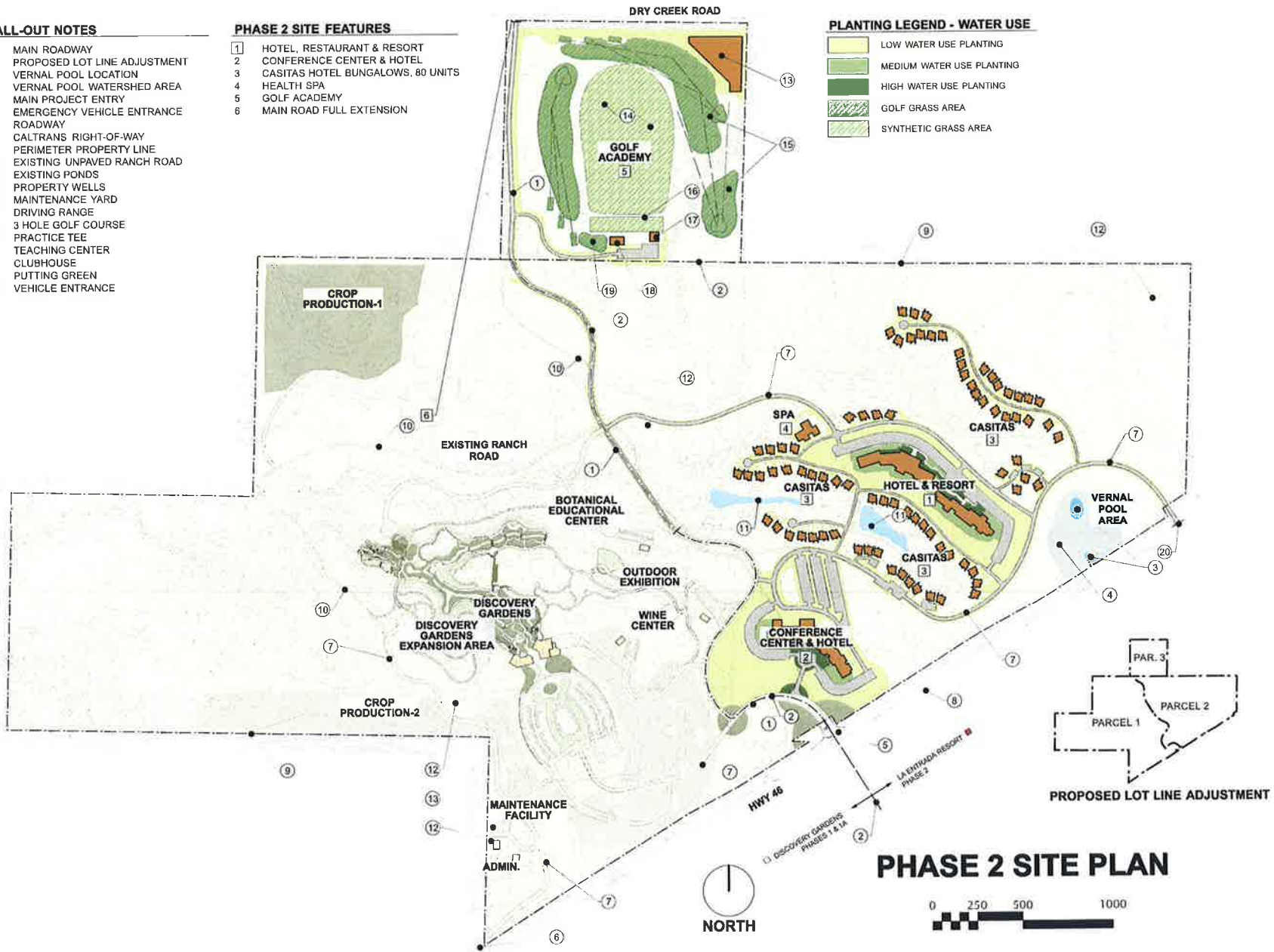
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- 20 VEHICLE ENTRANCE

PHASE 2 SITE FEATURES

- 1 HOTEL, RESTAURANT & RESORT
- 2 CONFERENCE CENTER & HOTEL
- 3 CASITAS HOTEL BUNGALOWS, 80 UNITS
- 4 HEALTH SPA
- 5 GOLF ACADEMY
- 6 MAIN ROAD FULL EXTENSION

PLANTING LEGEND - WATER USE

-  LOW WATER USE PLANTING
-  MEDIUM WATER USE PLANTING
-  HIGH WATER USE PLANTING
-  GOLF GRASS AREA
-  SYNTHETIC GRASS AREA



Date: 3/24/14
File name: Discovery Gardens Site 5.1.mxd

ENTRADA de PASO ROBLES

COMPARISON STUDY - USES
11/22/13

ENTRADA RESORT - Parcel 2 (Phase 2)			
	Rooms	S.F.	Acres
Hotel	718	144,000	
Conference Center Hotel	84	104,500	
TOTAL Hotel Rooms	200		
Casitas Bungalows		164,800	
Conference Center		14,500	
Dining: Restaurant		6,000	
Hotel Cafe		1,500	
TOTAL Hotel Area		435,600	10.0
Wine / Visitors Center (in Phase 1A)		0	0.0
Health Spa Building Area		2,500	0.1
Golf Course & Academy			
3-Hole Course (Grass)		385,610	
Driving Range (Synthetic Turf)		449,829	
Club House		10,000	
Cart Storage		6,000	
Maintenance Yard		53,524	
TOTAL Golf Course Area		904,955	20.8
Parking & Roads For:			
Hotel Units, Casitas, Restaurant, Conference Center, Health Spa, Golf Area, Bus/RV/Overflow Parking			
TOTAL Parking & Roads Area		459,657	10.5
Landscape Areas			
Low Water Use Plantings		831,919	
Medium Water Use Plantings		85,534	
High Water Use Plantings		46,174	
TOTAL Landscape Area		957,620	22.0
TOTAL Entrada Resort Area (Phase 2)		2,759,741	63.4
DISCOVERY GARDENS - Parcel 1 (Phase 1)			
Gardens			
Pathways		68,761	
Water Feature		24,862	
Bridges, Decks & Misc		2,594	
Buildings		35,283	
TOTAL Gardens Area		131,500	3.0
Support Services			
Maintenance Building		6,000	
Administration Building		1,200	
TOTAL Support Services Area		7,200	0.2
Parking & Roads For Gardens & Support Services Area		376,300	8.6
Landscape Areas			
Low Water Use Plantings		458,260	
Medium Water Use Plantings		106,513	
High Water Use Plantings		189,793	
TOTAL Landscape Area		754,566	17.5
Crop Production Areas		495,033	11.4
Vineyard		786,513	18.1
TOTAL Discovery Gardens Area (Phase 1)		2,559,564	58.8
DISCOVERY GARDENS - Parcel 1 (Phase 1A)			
Outdoor Exhibition			
Building Area		1,500	
Parking & Roads		14,480	
Landscape Area		73,273	
TOTAL Outdoor Exhibition Area		85,253	2.0
Botanical Garden Education Center			
Building Area		1,500	
Parking & Roads		14,480	
Landscape Area		238,494	
TOTAL Botanical Garden Education Center Area		254,474	5.8
Discovery Gardens Expansion Total Landscape Area		57,313	1.3
Wine Center			
Building Area		1,500	
Parking & Roads		10,140	
Landscape Area		11,350	
TOTAL Wine Center Area		23,000	0.5
TOTAL Discovery Gardens Area (Phase 1A)		424,851	9.7
ENTRADA de PASO ROBLES - TOTAL Development			
TOTAL Entrada de Paso Robles Area		5,743,856	131.9

BLACK RANCH				
	Rooms	S.F.	Acres	Ref
Hotel	200	109,250		#1
Casitas Bungalows	80	304,920		#3
Conference Center		14,284		#2
Dining: Free-standing Restaurant		6,000		#2
Hotel Cafe		1,500		
TOTAL Hotel Area		435,956	10.0	
Wine / Visitors Center		1,500	0.0	#2
Health Spa		2,500	0.1	#2
Golf Course				
18-Hole Course (Grass) & 9-Hole Executive Course		4,652,208		#2
Driving Range (Included in Course)				
Club House		10,000		#1
Cart Storage		6,000		#1
Maintenance Yard		6,000		#1
TOTAL Golf Course Area		4,674,208	107.3	
Parking, Roads & Sewer Plant				
Hotel Units, Casitas, Restaurant, Conference Center, Wine & Visitor Center, Health Spa, Golf Area, Bus/RV/Overflow Parking				
TOTAL Parking, Roads & Sewer Plant Area		322,344	#3	
Parking Area		182,952	#3	
Road Area (7,700 l.t.)		308,276	#3	
Cart Paths		309,884	#3	
Sewer Treatment Plant		189,456	22.6	
TOTAL Parking, Roads & Sewer Plant Area		361,603	8.3	#4
TOTAL Black Ranch Development Area		6,460,223	148.3	

SQUARE FOOTAGE NOTES:
 #1 Hotel/Retail square footage from project comparison sheet, page 13. Less s.t. from Confer. Center, Dining, Wine Center, and Health Spa, page Page 11, City Resolution 07-098, dated July 2007.
 #2 Square footage from "TRM Maecia Black Ranch", page 11, City Resolution 07-098, dated July 2007.
 #3 Square footage from "Areas of Disturbance", page 14, City Resolution 07-096, dated July 2007.
 #4 Square footage of landscape calculated at 25% of total building & paved areas.

SUMMARY COMPARISON		
	ENTRADA de PASO ROBLES	BLACK RANCH
Developed Area (Acres)	131.9	148.3

Date: 11/22/13
File name: Discovery Gardens Schedule Exhibits 1.0.vvv

Proposed Entrada de Paso Robles Development

Original Black Ranch Development

ENTRADA de PASO ROBLES
HIGHWAY 46 • PASO ROBLES, CALIFORNIA
Comparison Study - Uses
A-5

ENTRADA de PASO ROBLES

COMPARISON STUDY - PARKING
11/22/13

Use	Units	SF	ENTRADA de PASO ROBLES	
			City of Paso Robles Parking Standards	Parking Required
ENTRADA RESORT- Parcel 2 (Phase 2)				
Hotel				
Hotel Rooms	200		1/rm + 1/employee on max. shift	220
Casitas Hotel Bungalows	80		1/rm + 1/employee on max. shift	88
Dining				
Hotel Restaurant & Lounge	6,000	5/1000 gross SF		30
Hotel Café	1,500	5/1000 gross SF		8
				348
			Total Hotel & Dining w/ 30% Combined Use reduction	242
Conference Center	14,500	10/1000 net SF in assembly seating area		116
Wine/Visitor's Center	1,500	5/1000		8
Health Spa	2,500	4/1000 gross SF		10
Golf/Clubhouse/Academy	10,000	3/1000 gross SF		30
Driving Range/ Three Holes				4
			TOTAL Entrada Resort (Phase 2)	469
DISCOVERY GARDENS- Parcel 1 (Phase 1)				
<i>(See Building Summary at right)</i>				
Portal to Discovery Entry Building				
Upper Floor	15,001			0
Lower Floor	14,344			0
			Portal to Discovery Total	0
Warehouse/Maintenance	6,000	1/1000 gross SF		6
Administration Building	1,200	3/1000 gross SF		4
Garden of the Mind				
Paved Area	30,014	1/500 SF outdoor use area		60
Tunnel Obacura				
Use Area	2,200	3/1000 SF use area		7
Garden of Senses				
Paved Area	12,632	1/500 SF outdoor use area		25
Discovery Lake				
Paved Area	12,800	1/500 SF outdoor use area		26
Garden Café & Restrooms	1,140	5/1000 SF		6
Garden of Adventure				
Paved Area	7,500	1/500 SF outdoor use area		15
Alchemy Caverns				
Use Area	2,600	3/1000 SF use area		8
			Gardens Total	156
			TOTAL Discovery Gardens (Phase 1)	156
DISCOVERY GARDENS - Parcel 1 (Phase 1A)				
Wine Tasting Center	1,500	3/1000 gross SF		5
Paved Area	2,000	1/500 SF outdoor use area		4
Botanical Garden	1,500	3/1000 gross SF		5
Paved Area	12,000	1/500 SF outdoor use area		24
Outdoor Exhibition	1,000	3/1000 gross SF		3
Paved Area	16,000	1/500 SF outdoor use area		38
			TOTAL Discovery Gardens (Phase 1A)	76
ENTRADA de PASO ROBLES - Total Parking				
TOTAL Entrada de Paso Robles Parking per City of Paso Robles Parking Standards				641

BLACK RANCH Parking Analysis (Resort+Golf)
284
80
0
included
included
included
161
525
Overflow parking on approved plan 120
645

Portal to Discovery Entry Building-Detailed Parking Analysis				
Use	Units	SF	Parking Req'd	Subtotal
Upper Floor				
Lobby		2,075		0
Gift Shop	1,854	3/1000 gross SF		6
Guest Services	627	3/1000 gross SF		2
Offices	381	3/1000 gross SF		1
Dining	1,827	5/1000 gross SF		8
Terrace Café	945	5/1000 gross SF		5
Kitchen	1,792	5/1000 gross SF		9
Outdoor Dining Terrace	1,708	5/1000 gross SF		9
Taste of Discovery	2,509	5/1000 gross SF (?)		13
Restrooms	1,443			0
Circulation & Accessory	1,545			0
	Total SF	14,631	Upper Floor Subtotal	52
Lower Floor				
Discovery Grove	6,114	3/1000 gross SF		18
Flex Space	4,211	3/1000 gross SF		13
Support	1,647	3/1000 gross SF		5
Mezzanine	984	3/1000 gross SF		3
Outdoor Terrace	2,858	3/1000 gross SF		8
Restrooms	640			0
Circulation & Accessory	748			0
	Total SF	14,344	Lower Floor Subtotal	47

Comments:

- 30% reduction allowed for combined use;
- Per EXISTING Paso Robles parking regulations;
- Per "Parking & GFA" e-mail to Brian dated 4/17/13
- Circulation or Accessory Area- Not counted
- Outdoor area counted here b/c not covered

SUMMARY COMPARISON		
	ENTRADA de PASO ROBLES	BLACK RANCH
Required Parking Spaces	641	645

Date: 11/22/13
File name: Discovery Gardens Schedule Exhibits 1.0.vwx

Proposed Entrada Resort and Discovery Gardens Development

Original Black Ranch Development

ENTRADA de PASO ROBLES
HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Comparison Study - Parking

A-6

ENTRADA de PASO ROBLES

COMPARISON STUDY - LANDSCAPE WATER USE
11/22/13

ENTRADA de PASO ROBLES
HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Comparison Study - Landscape Water Use
A-7a

Date: 11/22/13
File name: Discovery Gardens Exhibits 1.7.rvt

ENTRADA RESORT - Parcel 2 (Phase 2)		
Landscape Areas	S.F.	Acres
Low Water Use Plantings	831,819	
Medium Water Use Plantings	85,534	
High Water Use Plantings	40,778	
Golf Grass Area	385,513	
TOTAL Landscape Areas (Phase 2)	1,343,644	30.8
DISCOVERY GARDENS - Parcel 1 (Phase 1)		
Landscape Areas	S.F.	Acres
Low Water Use Plantings	456,280	
Medium Water Use Plantings	106,513	
High Water Use Plantings	189,782	
TOTAL Landscape Areas	752,575	17.5
Vineyard		
TOTAL Vineyard Area	786,431	18.1
Crop Production Area	S.F.	Acres
Low Water Use Plantings	297,020	
Medium Water Use Plantings	123,758	
High Water Use Plantings	74,255	
TOTAL Crop Production Areas	495,033	11.4
TOTAL Landscape & Crop Production Areas (Phase 1)	2,644,030	46.9
DISCOVERY GARDENS - Parcel 1 (Phase 1A)		
Outdoor Exhibition	S.F.	Acres
Low Water Use Plantings	59,904	
Medium Water Use Plantings	8,769	
High Water Use Plantings	4,600	
TOTAL Landscape Areas	73,273	1.7
Botanical Garden Education Center	S.F.	Acres
Low Water Use Plantings	0	
Medium Water Use Plantings	0	
High Water Use Plantings	0	
TOTAL Landscape Areas	0	0.0
Discovery Gardens Expansion Area	S.F.	Acres
Low Water Use Plantings	57,313	
Medium Water Use Plantings	0	
High Water Use Plantings	0	
TOTAL Landscape Areas	57,313	1.3
Wine Center	S.F.	Acres
Low Water Use Plantings	9,169	
Medium Water Use Plantings	7,834	
High Water Use Plantings	960	
TOTAL Landscape Areas	11,969	0.3
TOTAL Landscape Areas (Phase 1A)	142,555	3.3
ENTRADA de PASO ROBLES - TOTAL Development		
Low Water Use Plantings	2,498,016	
Medium Water Use Plantings	326,409	
High Water Use Plantings	319,790	
Golf Grass Area	385,612	
TOTAL Entrada de Paso Robles Landscape Areas	3,529,826	81.0

BLACK RANCH			NOTES
Landscape Areas	S.F.	Acres	
Golf Course	4,652,208	106.8	#1
18-Hole Course (Grass) and 9-Hole Executive Course Driving Range (included in Course)			
Commercial	361,603	8.3	#2
Conference Center, Wine & Visitor Center, Health Spa, Golf Area, Bus/RV/Overflow Parking			
Low Water Use Plantings	0		
Medium Water Use Plantings	0		
High Water Use Plantings	0		
TOTAL Black Ranch Landscape Area	5,013,811	115.1	

NOTES:
 #1 Square footage from "Areas of Disturbance", page 14.
 City Resolution 07-096, dated July 2007.
 #2 Square footage from "Comparison Study - Uses", Entrada de Paso Robles.
 #3 Total water determined from California Department of Water Resources' program which calculates Maximum Applied Water on reference evapotranspiration from Appendix A in the Model Water Efficiency Landscape Ordinance (See attached MAWA & ETWU calculations.)

SUMMARY COMPARISON		
	ENTRADA de PASO ROBLES	BLACK RANCH
TOTAL PLANTED ACRES	81.0	115.1
Landscape Water Use (Acres-Ft/Yr)		
Phase 1	36.0	
Phase 1A	15.6	
Phase 2	61.8	
Total Landscape Water Use *	113.4	508.4**
Crop Production Water Use (Phase I)	21.1	
Vineyard Water Use (Phase I)	18.2	
TOTAL ACRE-FEET/ YEAR	152.7	
MILLIONS of GALLONS	48.8	165.7
* (159.7 acre-feet allowed, complies with MAWA)		
** (327.2 acre-feet allowed, does not comply with MAWA)		

ENTRADA de PASO ROBLES

COMPARISON STUDY - POTABLE WATER USE

11/22/13

ENTRADA RESORT - Parcel 2 (Phase 2)							
Use	Area (SF)	Rooms	Beds/Room	Total Beds	Gallons/Bed/Day (1)	Total Gallons/Day	
Hotel	144,300	716	2	232	60	13,920	
Conference Center Hotel	104,500	84	2	168	60	10,080	
Casita Bungalows	164,800	80	2	160	60	9,600	
Use	Area (SF)	SF/Occupant (3)	Occupants/Seats		Gallons/Seat/Day (2)	Total Gallons/Day	
Conference Center	14,500	15	967		2	1,935	
Wine/Visitor's Center			See Phase 1A				
Use	Area (SF)				Gallons/SF/Day (2)	Total Gallons/Day	
Health Spa	2,500				0.35	875	
Use	Area (SF)	Visitors/Day	Employees/Day	Total People/Day	Gallons/Person/Day	Total Gallons/Day	
Golf Academy	385,612	224	4	228	15	2,292	
Use	Area (SF)	Dining Area (SF)	SF/Seat (3)	Seats	Gallons/Seat/Day (2)	Total Gallons/Day	
Restaurant	6,000	4,500	15	300	30	9,000	
Hotel Cafe	1,500	750	15	50	30	1,500	
Total Gallons/Day						49,168	
Total Millions of Gallons/Year						16	
Total Acre-Foot/Year						55	
Discovery Gardens - Parcel 1 (Phase 1)							
Use	Area (SF)	Gallons/SF (2)				Total Gallons/Day	
Lobby	2,078	0.2				416	
Gift Shop	1,854	0.7				163	
Guest Services	627	0.2				123	
Offices	381	0.2				76	
Use	Area (SF)	Gallons/SF (2)				Total Gallons/Day	
Discovery Grove	8,114	0.1				811	
Flix Space	4,211	0.1				421	
Support Spaces	1,647	0.2				329	
Mezzanine	984	0.2				197	
Warehouse / Maintenance	6,000	0.01				60	
Administration Building	1,200	0.2				240	
Use	Area (SF)	Dining Area (SF)	SF/Seat (3)	Seats	Gallons/Seat/Day (2)	Total Gallons/Day	
Dining	1,827	1,827	15	122	30	3,654	
Terrace Cafe	945	945	15	63	30	1,890	
Outdoor Dining Terrace	1,708	1,708	15	114	30	3,416	
Taste of Discovery (Wine Bar)	2,509	1,882	15	125	20	2,509	
Use	Area (SF)	Visitors/Day	Employees/Day	Total People/Day	Gallons/Person/Day	Total Gallons/Day	
Garden Areas		690	66	756	10	7,560	
Total Gallons/Day						21,691	
Total Millions of Gallons/Year						8	
Total Acre-Foot/Year						24	
Discovery Gardens - Parcel 1 (Phase 1)							
Use	Area (SF)	Visitors/Day	Employees/Day	Total People/Day	Gallons/Person/Day (2)	Total Gallons/Day	
Outdoor Exhibition	252,232	218	13	231	10	2,310	
Botanical Garden Center	254,476	212	12	224	10	2,240	
Use	Area (SF)	SF/Seat (3)	Seats		Gallons/Seat/Day (2)	Total Gallons/Day	
Wine/Visitor's Center	1,500	15	100		20	2,000	
Total Gallons/Day						6,550	
Total Millions of Gallons/Year						2	
Total Acre-Foot/Year						7	
ENTRADA de PASO ROBLES - TOTAL Development							
TOTAL Entrada de Paso Robles Potable Water Use						77,429	
Total Gallons/Day						28	
Total Millions of Gallons/Year						87	

Proposed Entrada de Paso Robles Development

BLACK RANCH							
Use	Area (SF)	Rooms	Beds/Room	Total Beds	Gallons/Bed/Day (1)	Total Gallons/Day	
Hotel	109,250	200	2	400	60	24,000	
Casita Bungalows	204,920	80	2	160	60	9,600	
Use	Area (SF)	SF/Occupant (3)	Occupants/Seats		Gallons/Seat/Day (2)	Total Gallons/Day	
Conference Center	14,286	15	352		2	1,935	
Wine/Visitor's Center	1,500	15	100			2,000	
Use	Area (SF)				Gallons/SF/Day (2)	Total Gallons/Day	
Health Spa	2,500				0.35	875	
Use	Area (SF)	Visitors/Day	Employees/Day	Total People/Day	Gallons/Person/Day	Total Gallons/Day	
Golf Course (18 + 9 Hole)	4,652,208	525	8	533	10	5,330	
Use	Area (SF)	Dining Area (SF)	SF/Seat (3)	Seats	Gallons/Seat/Day (2)	Total Gallons/Day	
Restaurant	6,000	4,500	15	300	30	9,000	
Hotel Cafe	1,500	750	15	50	30	1,500	
Total Gallons/Day						54,210	
Total Millions of Gallons/Year						20	
Total Acre-Foot/Year						61	

Original Black Ranch Development

NOTES

- 2010 California Plumbing Code Table K-3
- Design Flow Chart - Broward County Code of Ordinances, Chapter 27, Section 27-201. For restaurant uses a range of 21 to 30 gallons/seat/day is anticipated with the lower range base on City provided data for local restaurants
- 2010 California Building Code Table 1004.1.1

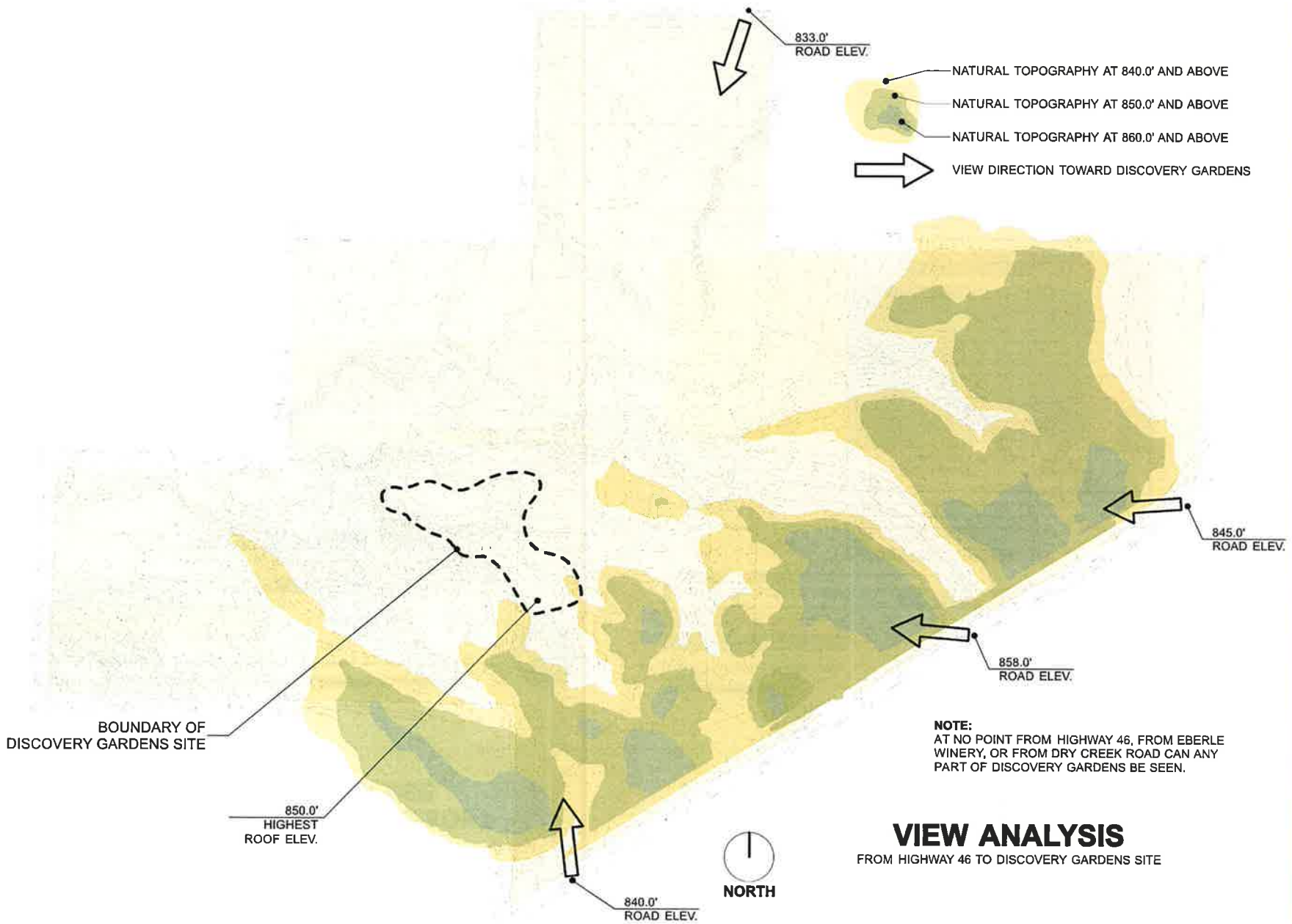
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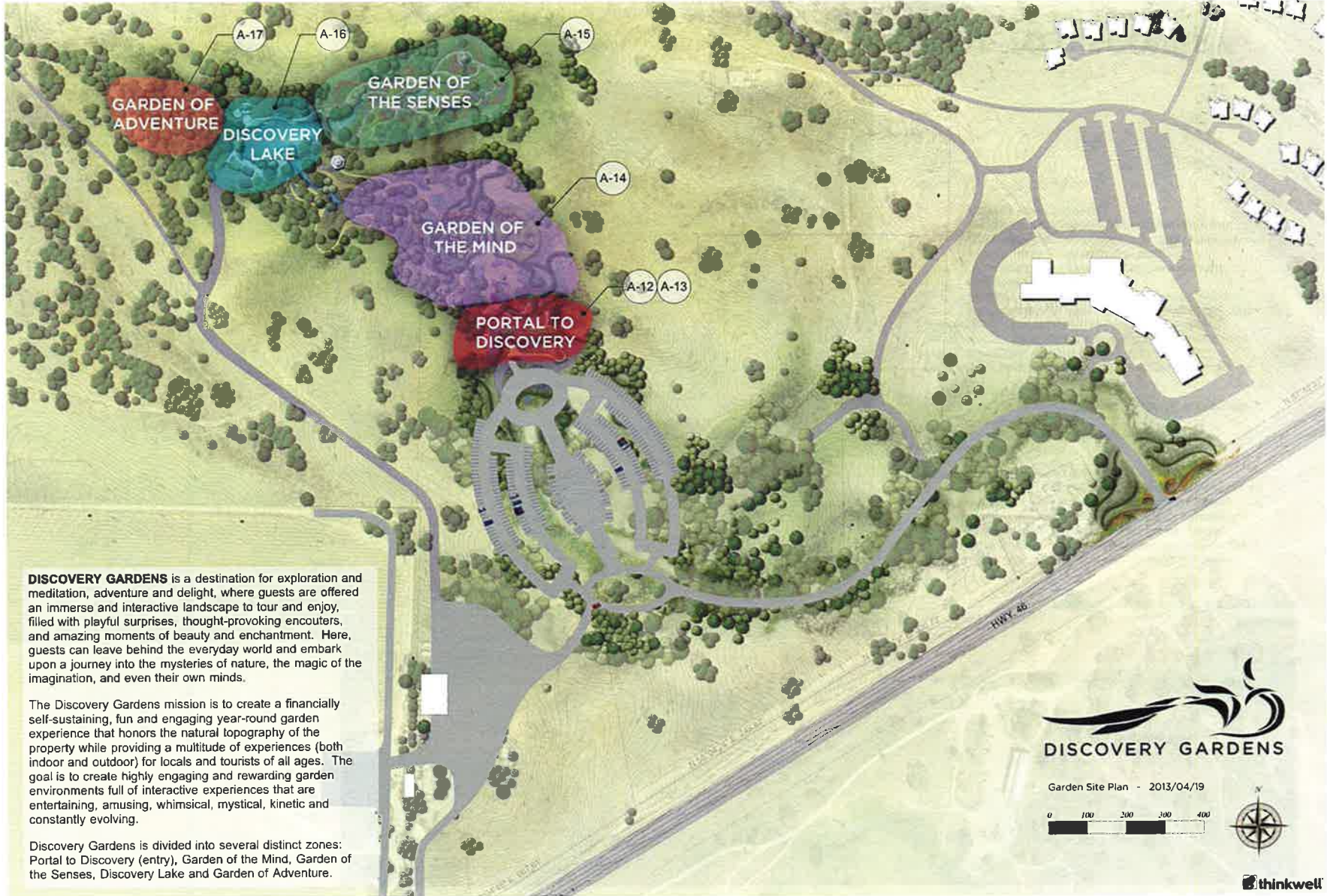
ENTRADA de PASO ROBLES
HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Comparison Study - Potable Water Use

A-7b

Date: 11/22/13
File name: Discovery Gardens Site 5.1.vwx





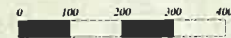
DISCOVERY GARDENS is a destination for exploration and meditation, adventure and delight, where guests are offered an immerse and interactive landscape to tour and enjoy, filled with playful surprises, thought-provoking encounters, and amazing moments of beauty and enchantment. Here, guests can leave behind the everyday world and embark upon a journey into the mysteries of nature, the magic of the imagination, and even their own minds.

The Discovery Gardens mission is to create a financially self-sustaining, fun and engaging year-round garden experience that honors the natural topography of the property while providing a multitude of experiences (both indoor and outdoor) for locals and tourists of all ages. The goal is to create highly engaging and rewarding garden environments full of interactive experiences that are entertaining, amusing, whimsical, mystical, kinetic and constantly evolving.

Discovery Gardens is divided into several distinct zones: Portal to Discovery (entry), Garden of the Mind, Garden of the Senses, Discovery Lake and Garden of Adventure.



Garden Site Plan - 2013/04/19



ENTRADA de PASO ROBLES
HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Discovery Gardens Site Plan

A-11

Date: 11/20/13
File name: Discovery Gardens Exhibits 1.7.vwx



CONCEPT SKETCH - FRONT ENTRANCE

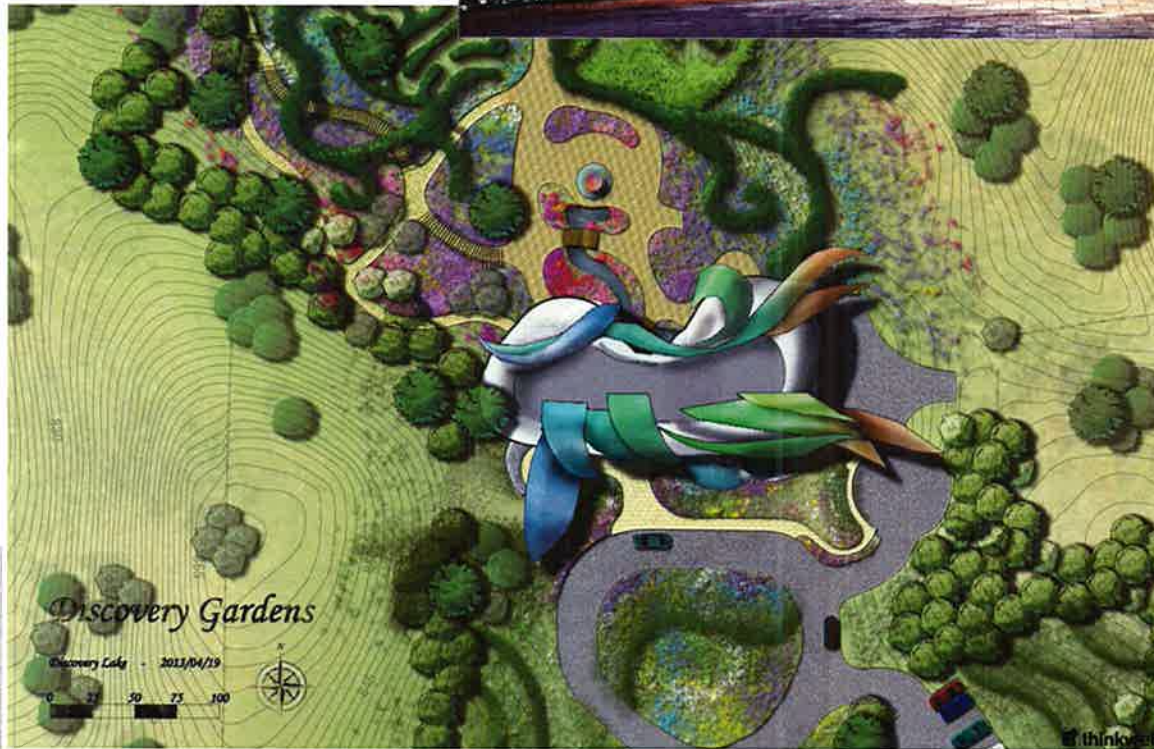
PORTAL TO DISCOVERY provides an intriguing entry statement as guests arrive, appearing to blossom from the earth with larger-than-life sculpted plant forms. As an introduction to the various gardens, the Portal engages guests with interactive experiences that offer tantalizing glimpses of the surprises that await them on their journey, as well as providing a place for gathering.

The upper level includes:

- Guest Services & Ticketing
- The Terrace Cafe
- Taste of Discovery (Beverage Tasting Experience)
- Discovery Gardens Gift Shop

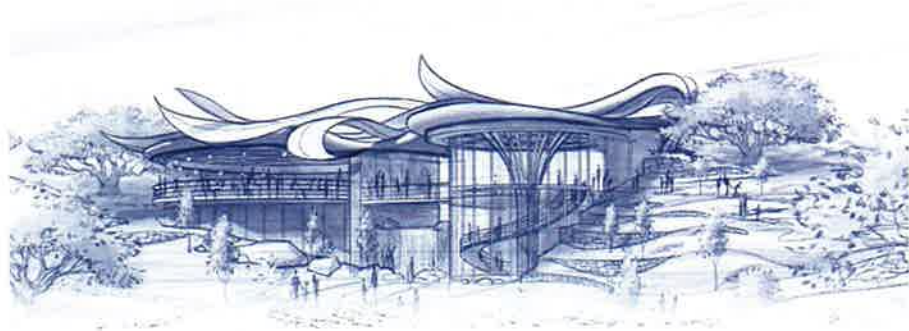
On the lower level, guests will find Discovery Grove, an indoor, immersive, highly interactive walk-through experience, a digital "forest" where nature takes on a more abstract form. Discovery Grove environments include:

- "Reflections" - an interactive media experience that explores natural light, shadow and color, and our relationship to those elements;
- "Soundstations" - immersive environments that explore natural and manmade sounds;
- "Mindwalk" - an interactive media experience that explores the connection between geometry and patterns found in nature.

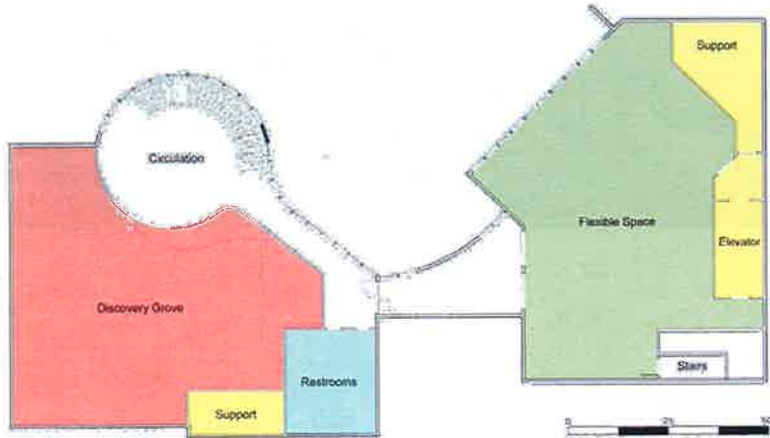


ENLARGED SITE PLAN

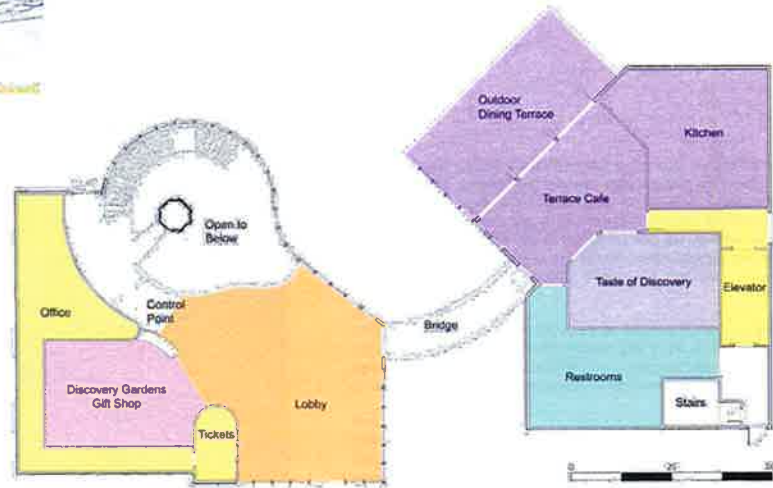
PORTAL TO DISCOVERY DISCOVERY GARDENS



CONCEPT SKETCH - REAR VIEW



LOWER FLOOR PLAN



UPPER FLOOR PLAN

Date: 11/20/13
File name: Discovery Gardens Exhibit 1.7.rvt



PORTAL TO DISCOVERY
DISCOVERY GARDENS

ENTRADA de PASO ROBLES
HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Discovery
Gardens
Portal To
Discovery

A-13

Date: 11/20/13
File name: Discovery Gardens Exhibits 1.7.wxw



ENLARGED SITE PLAN



CONCEPT SKETCH

GARDEN OF THE MIND focuses on optical illusions and shifting perspectives, creating puzzles and challenges that pique guests' curiosity and take them on a transformative journey.

In addition to several interactive sculptures and garden elements such as the Anamorphic Fountain, the Hidden Hedge and the Bamboozled Forest, this area incorporates a small Performance Area for musical performances, events and seasonal activities.

At the north end of the garden, guests will discover Tunnel Obscura, a light-controlled interactive underground tunnel that connects the Garden of the Mind and the Garden of the Senses (an alternate pathway between the two gardens). Guests are treated to various digital illusions and interactions as they move through the Tunnel, and will find that their actions affect the experiences they encounter as they travel.

GARDEN OF THE MIND DISCOVERY GARDENS

Date: 11/20/13
File name: Discovery Gardens Exhibits 1,7.vwx



ENLARGED SITE PLAN



CONCEPT SKETCH

In **GARDEN OF THE SENSES**, guests can engage their sense of sight, sound, touch, and smell as they explore everything from light and shadow gardens that shape, reflect and refract light, to whimsical interactive musical sculptures and fragrant garden experiences. In this garden, guests will encounter ultra-vivid and breathtakingly colorful elements that playfully explore our relationship to nature.

Experiences based on sight include a Shadow Wall and the Color Bath, an outdoor "room" where guests can bathe in reflected and refracted light. Tactile touch and movement experiences include the visually stimulating Wall of Wind, the Double Bubble, a bubble-making sculpture, and kinetic Wind Walkers that punctuate the landscape. The Sound Bridge, a pedestrian bridge that emits soothing musical wind chime tones, along with the Choral Harp and parabolic Whisper Dishes locates throughout the garden, provide guests delightful auditory experiences. They will also be delighted by the pleasant fragrance of the Bouquet Garden wafting through the air, as those with an adventurous palate will be treated to a variety of bizarre tastes at the food and drink kiosk, Strange Taste.

GARDEN OF THE SENSES DISCOVERY GARDENS

ENTRADA de PASO ROBLES
HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Discovery
Gardens
Garden of the
Senses

A-15



ENLARGED SITE PLAN



CONCEPT SKETCH

DISCOVERY LAKE is the central unifying element that helps connect all of the gardens together; it features fountains, waterfalls and playful water interactives that will surprise and excite guests.

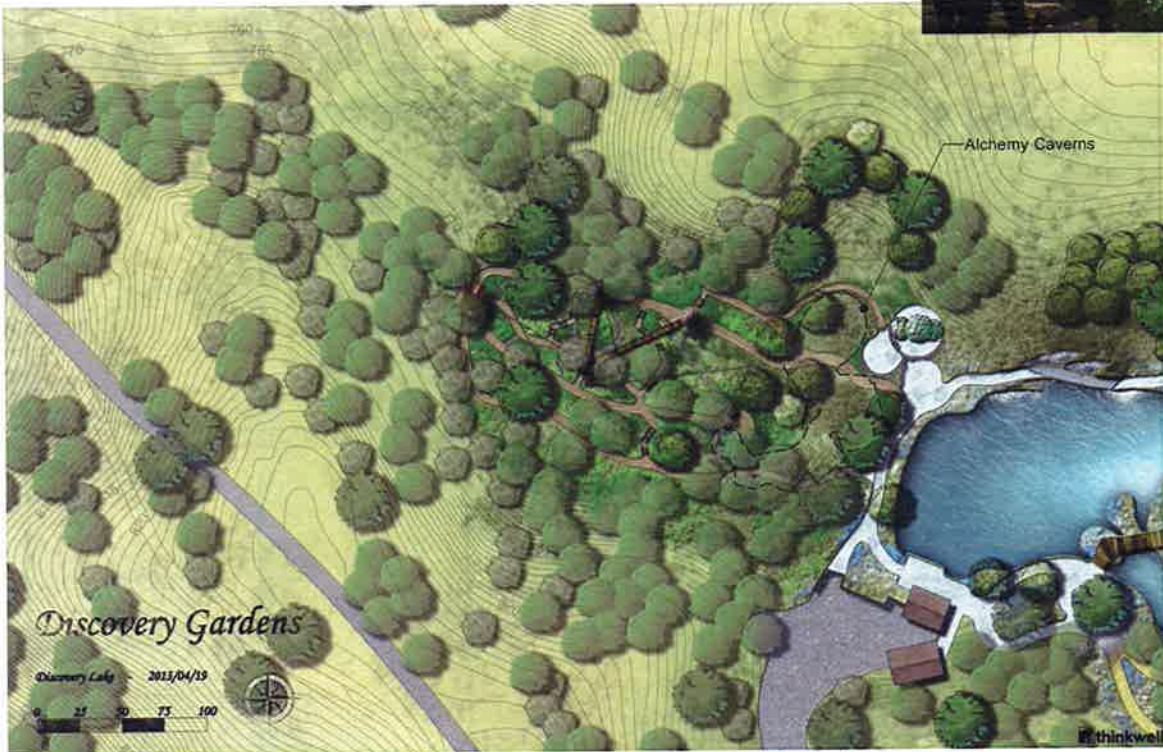
Embedded in the lake is Discovery Fountain, a dynamic array of fountain jets that perform choreographed "water ballets" throughout the day and come to life for the Twilight Discovery nighttime show, "Seasons of Discovery". Set along the north edge of the lake is Mystery Falls, a series of waterfalls with a dynamic flow of water that shifts during the day, providing an intriguing backdrop for a pedestrian pathway that allows guests to walk "through" the falls.

Along the perimeter of the lake are a number of sculptures and interactive features that harness the power and beauty of water in mesmerizing ways, including the Ice Waterfall, the Mist Portal and the Rain Tree. Children will delight in the pop jets and other fun water play elements located at the Lilli Pad.

Guests will also find restroom facilities located at the lake, as well as the Garden Cafe, where they can enjoy a beverage or light snack while relaxing and taking in the beautiful scenery.

DISCOVERY LAKE
DISCOVERY GARDENS

Date: 11/20/13
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ENLARGED SITE PLAN



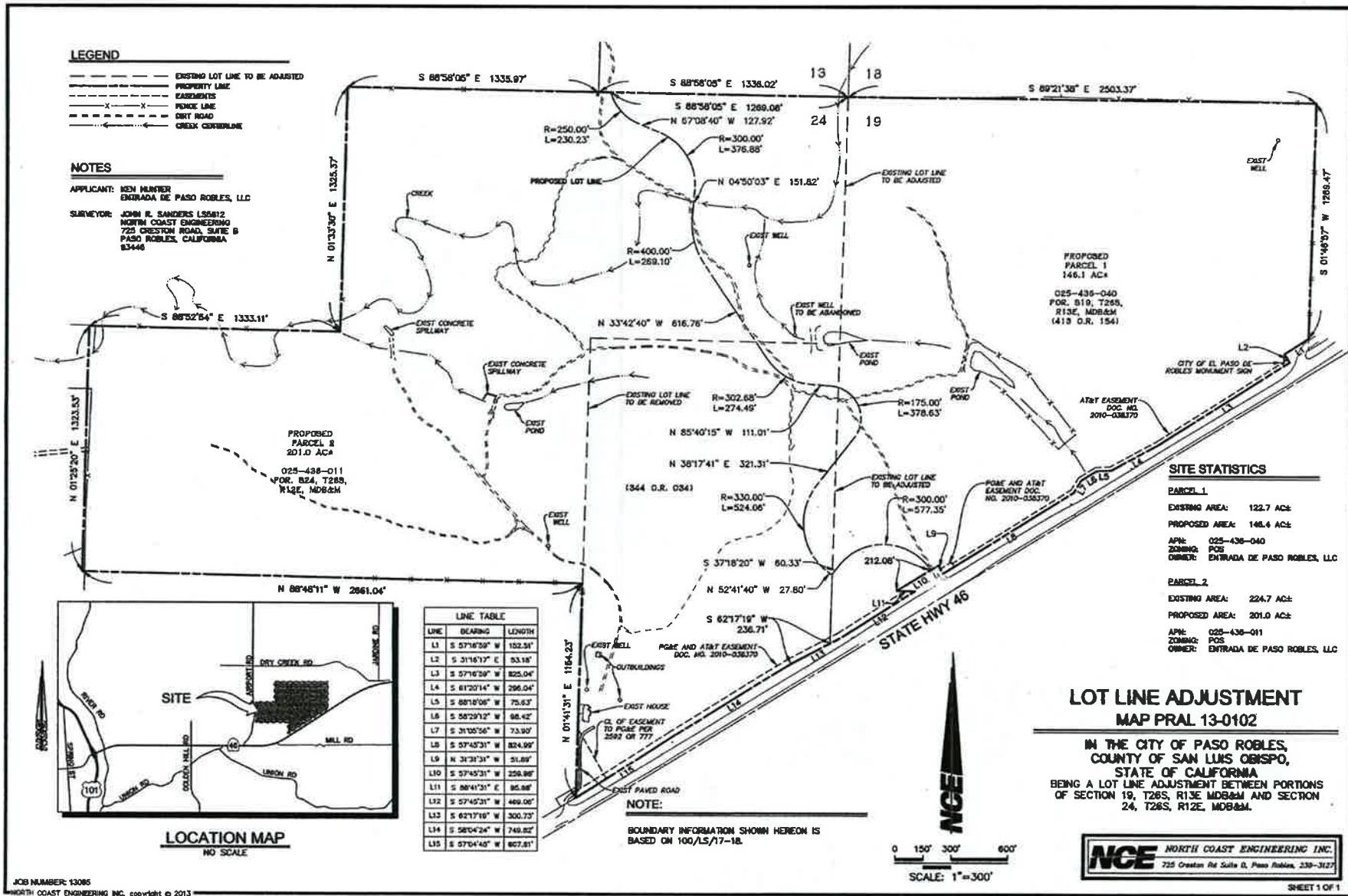
CONCEPT SKETCH

In **GARDEN OF ADVENTURE**, the energetic explorer has the opportunity to climb, clamber, and actively engage in an exploratory environment where portals and passages transport them to a surprising and mysterious underground destination that is truly magical.

Guests will enter the garden via the Tanglewood Path, a mysterious formation of intertwined trees and plant life. The adventurous of all ages will enjoy discovering Exploration Stations, a series of multi-level vertical mazes, or will have fun negotiating the Rope Bridge or the Net Climb, or can storm their way down the valley by Zip Line or Super Slide. For those who wish for a less adventurous journey, they can take the Alchemy Caverns Funicular.

Guests gradually wind their way through the garden to arrive at Alchemy Caverns, a mysterious and enchanting interior cave-like environment full of surprises, including the Enchanted Rock Garden, the Cave of Sound, and the Rain Passage. Guests eventually come to the Geode, a crystalline forest of embedded geode crystals that comes "alive" based on the interactions of the guests. The Hall of Shadows leads back to the cavern entrance, where guests can choose from various garden paths, or take the Funicular, back to the garden entry.

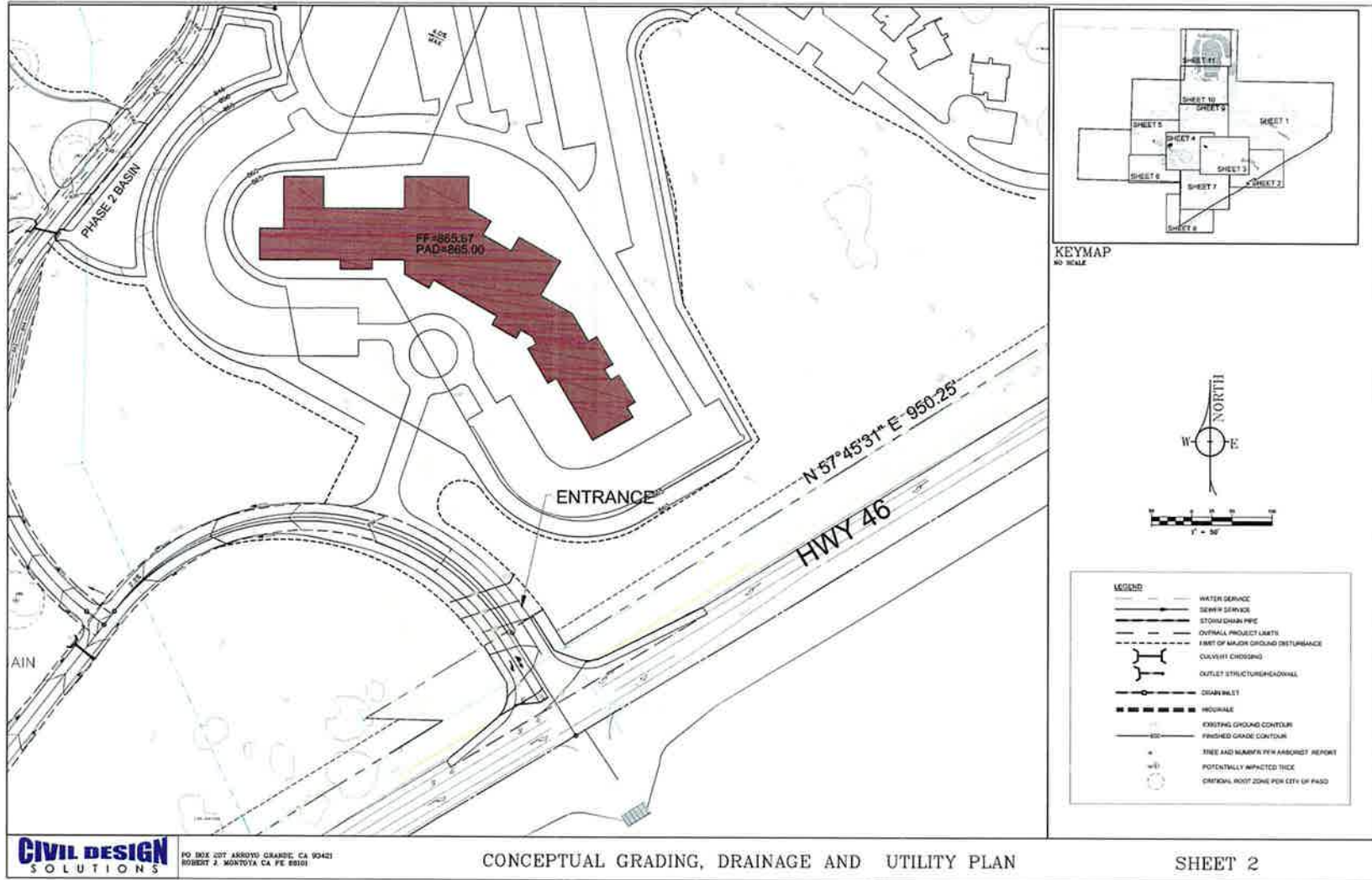
GARDEN OF ADVENTURE DISCOVERY GARDENS



ENTRADA de PASO ROBLES
 HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Lot Line
 Adjustment
B-1

Date: 11/22/13
 File name: Discovery Gardens Consultant Exhibit 1.0.vwk

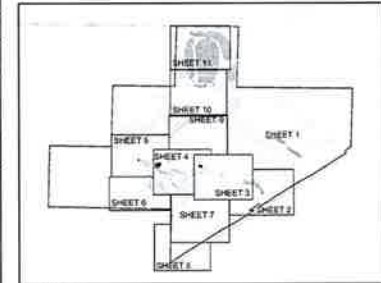
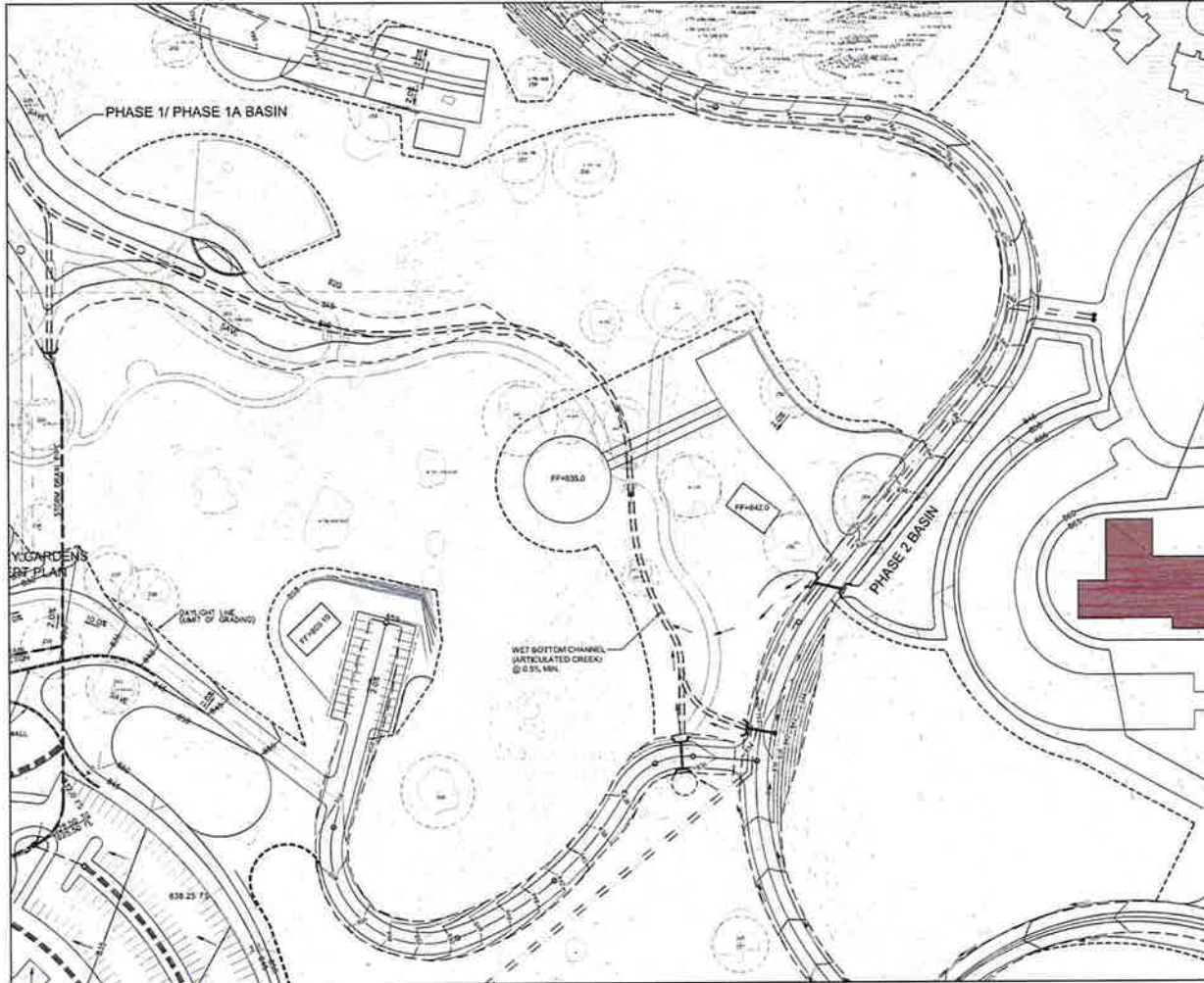


ENTRADA de PASO ROBLES
 HIGHWAY 46 • PASO ROBLES, CALIFORNIA

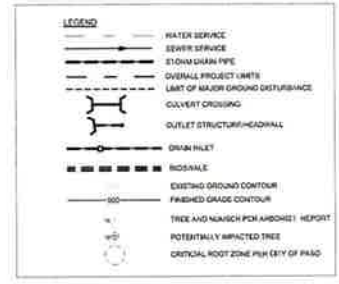
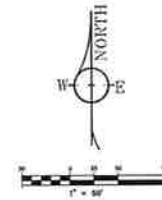
Conceptual
 Grading,
 Drainage and
 Utility Plan

C-2

Date: 1/9/14
 File name: Discovery Gardene Consultant Exhibits 1.1.rvt



KEYMAP



CIVIL DESIGN SOLUTIONS

PO BOX 207 ARROYO GRANDE, CA 93421
 ROBERT J. MONTANA, CA PE 00101

CONCEPTUAL GRADING, DRAINAGE AND UTILITY PLAN

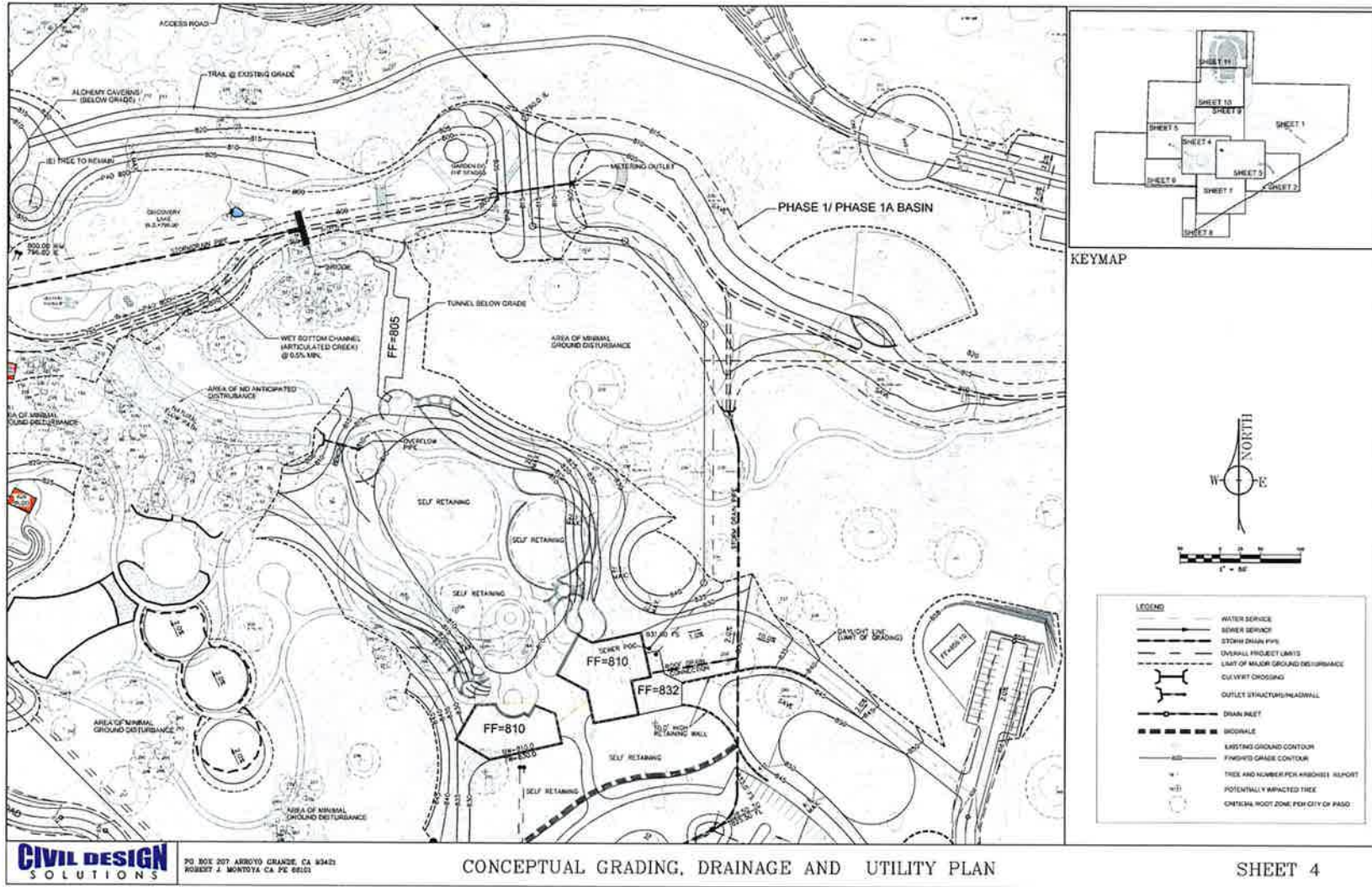
SHEET 3

ENTRADA de PASO ROBLES
 HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual Grading, Drainage and Utility Plan

C-3

Date: 1/9/14
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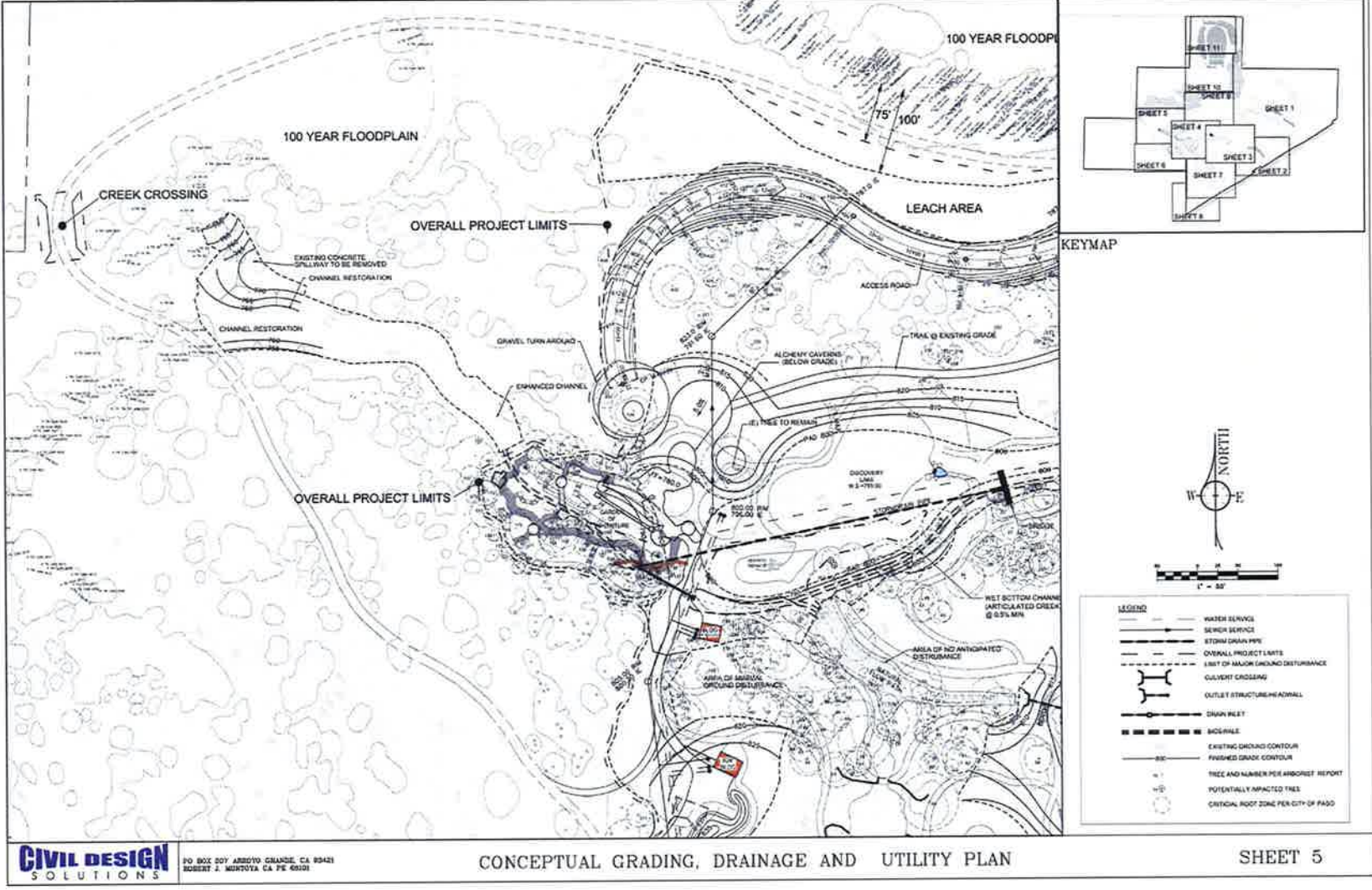


ENTRADA de PASO ROBLES
 HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual
 Grading,
 Drainage and
 Utility Plan

C-4

Date: 2/19/14
 File name: Discovery Gardens Consultant Exhibits 1.2.vwx

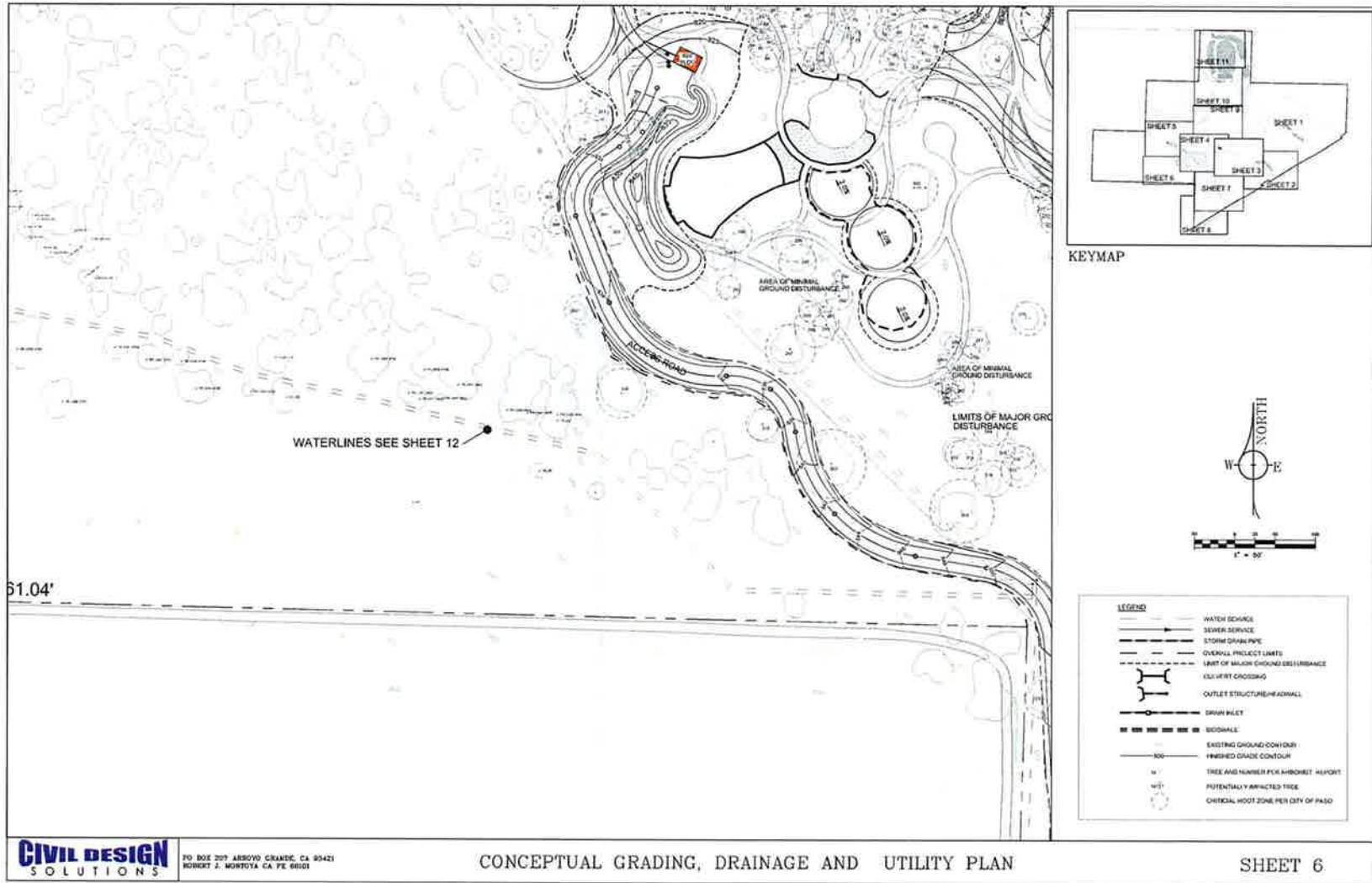


ENTRADA de PASO ROBLES
 HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual Grading, Drainage and Utility Plan

C-5

Date: 1/9/14
 File name: Discovery Gardens Consultant Exhibits 1.1.wxd



CIVIL DESIGN SOLUTIONS

PO. BOX 207 ARROYO GRANDE, CA 95421
 ROBERT J. MORFOLA, CA PE 6603

CONCEPTUAL GRADING, DRAINAGE AND UTILITY PLAN

SHEET 6

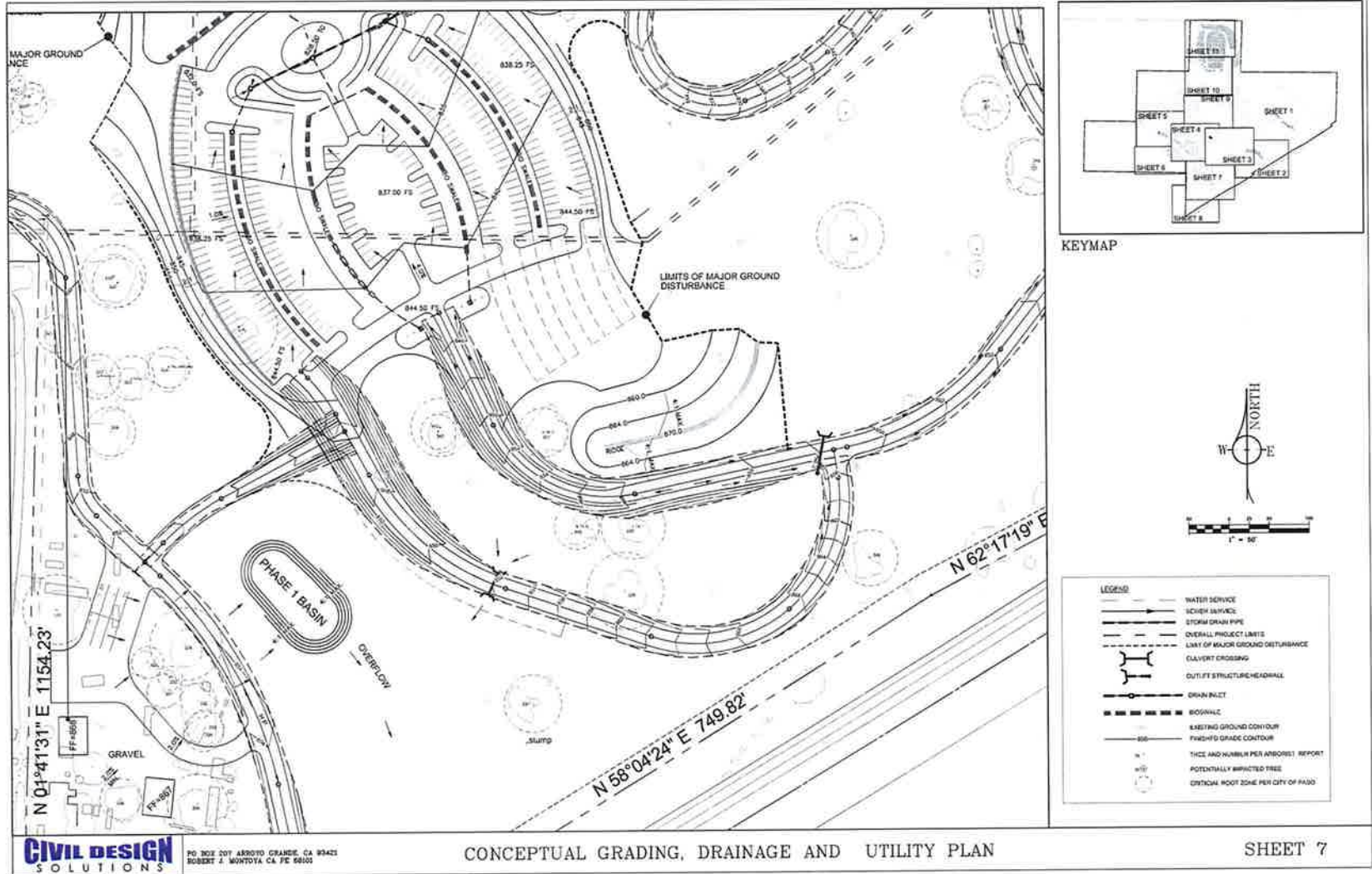
ENTRADA de PASO ROBLES

HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual
 Grading,
 Drainage and
 Utility Plan

C-6

Desc: 1/8/14
 File name: Discovery Gardens Consultant Exhibit 1.1.lwx



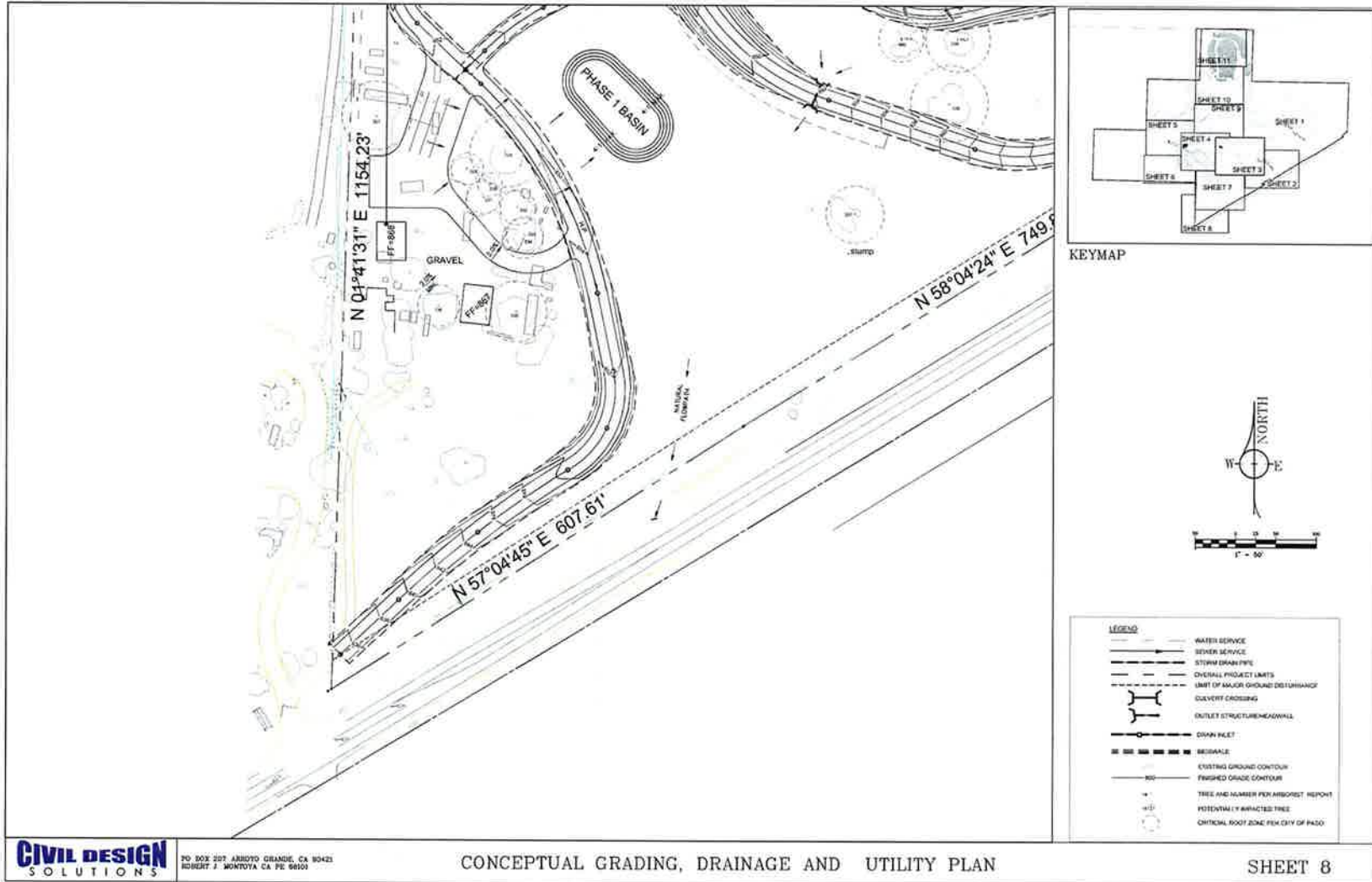
ENTRADA de PASO ROBLES

HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual
 Grading,
 Drainage and
 Utility Plan

C-7

Date: 11/22/13
 File name: Discovery Gardens Consultant Exhibits 1.0.wvx

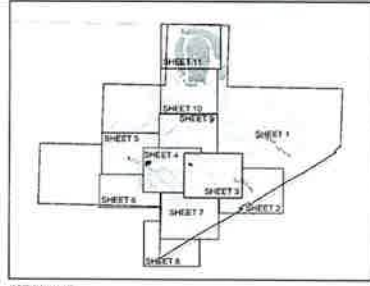


CIVIL DESIGN SOLUTIONS

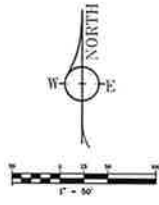
PO BOX 207 ARROYO GRANDE, CA 90421
 ROBERT J. MONTOYA CA PLS 96000

CONCEPTUAL GRADING, DRAINAGE AND UTILITY PLAN

SHEET 8



KEYMAP



LEGEND

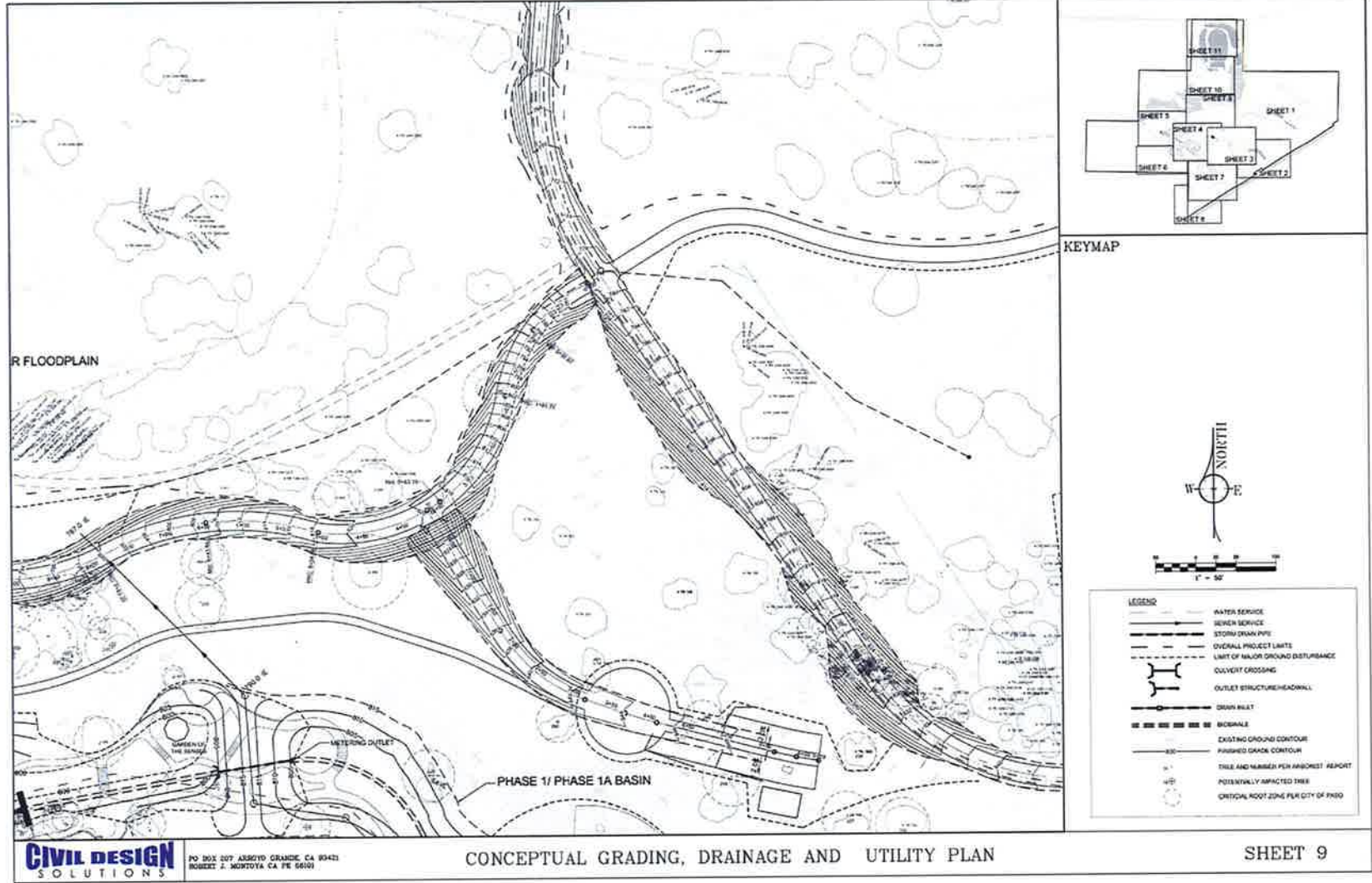
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	SEWER SERVICE
	STORM DRAIN PIPE
	OVERALL PROJECT LIMITS
	LIMIT OF MAJOR GROUND DISTURBANCE
	CULVERT CROSSING
	OUTLET STRUCTURE HEADWALL
	DRAIN INLET
	EASEMENT
	EXISTING GROUND CONTOUR
	FINISHED GRADE CONTOUR
	TREE AND NUMBER PER ARBORIST REPORT
	POTENTIAL IMPACTED TREE
	CRITICAL ROOT ZONE PER CITY OF PASO

ENTRADA de PASO ROBLES
 HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual Grading, Drainage and Utility Plan

C-8

Date: 2/19/14
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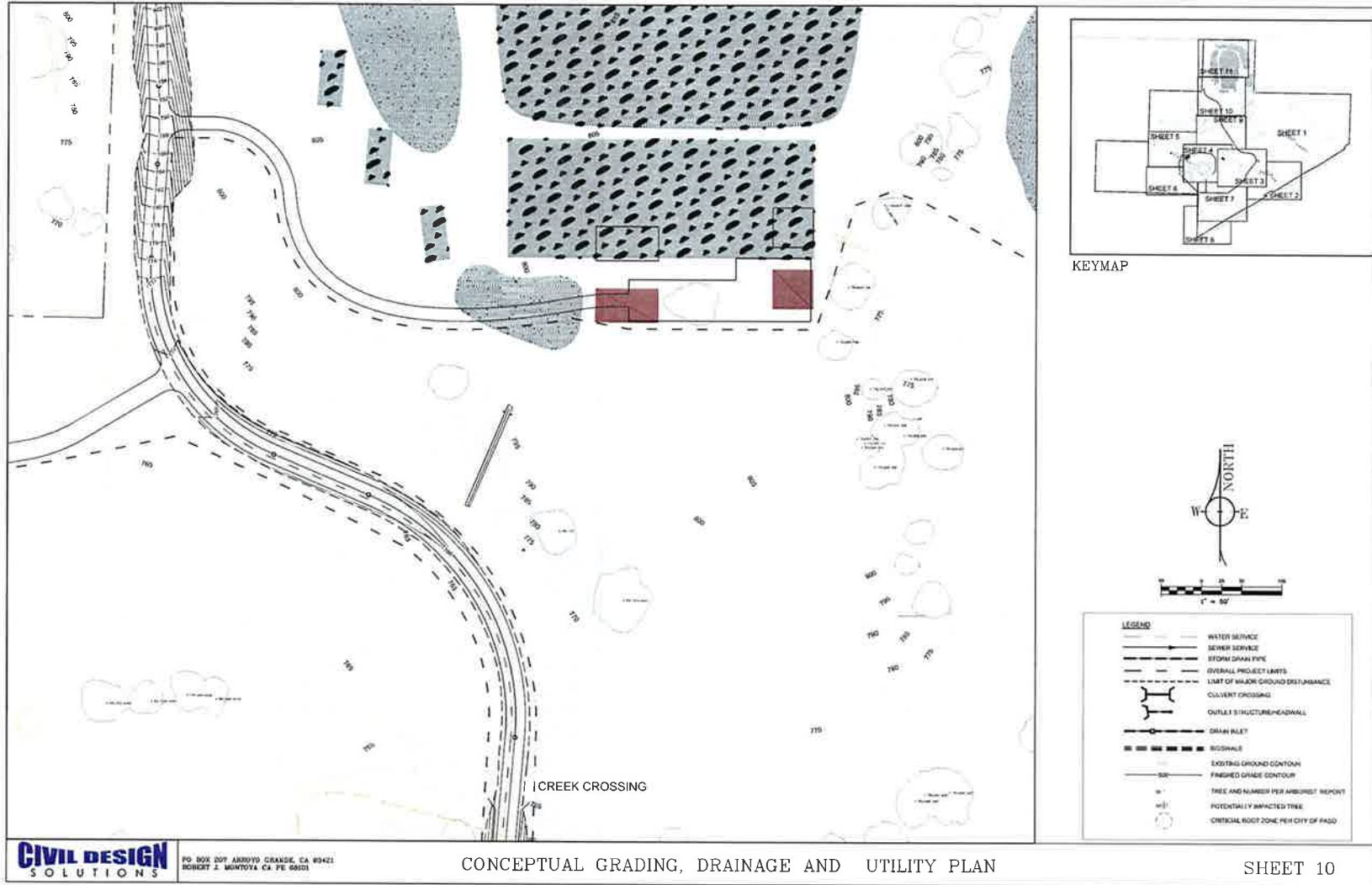


ENTRADA de PASO ROBLES
 HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual Grading, Drainage and Utility Plan

C-9

Date: 11/22/13
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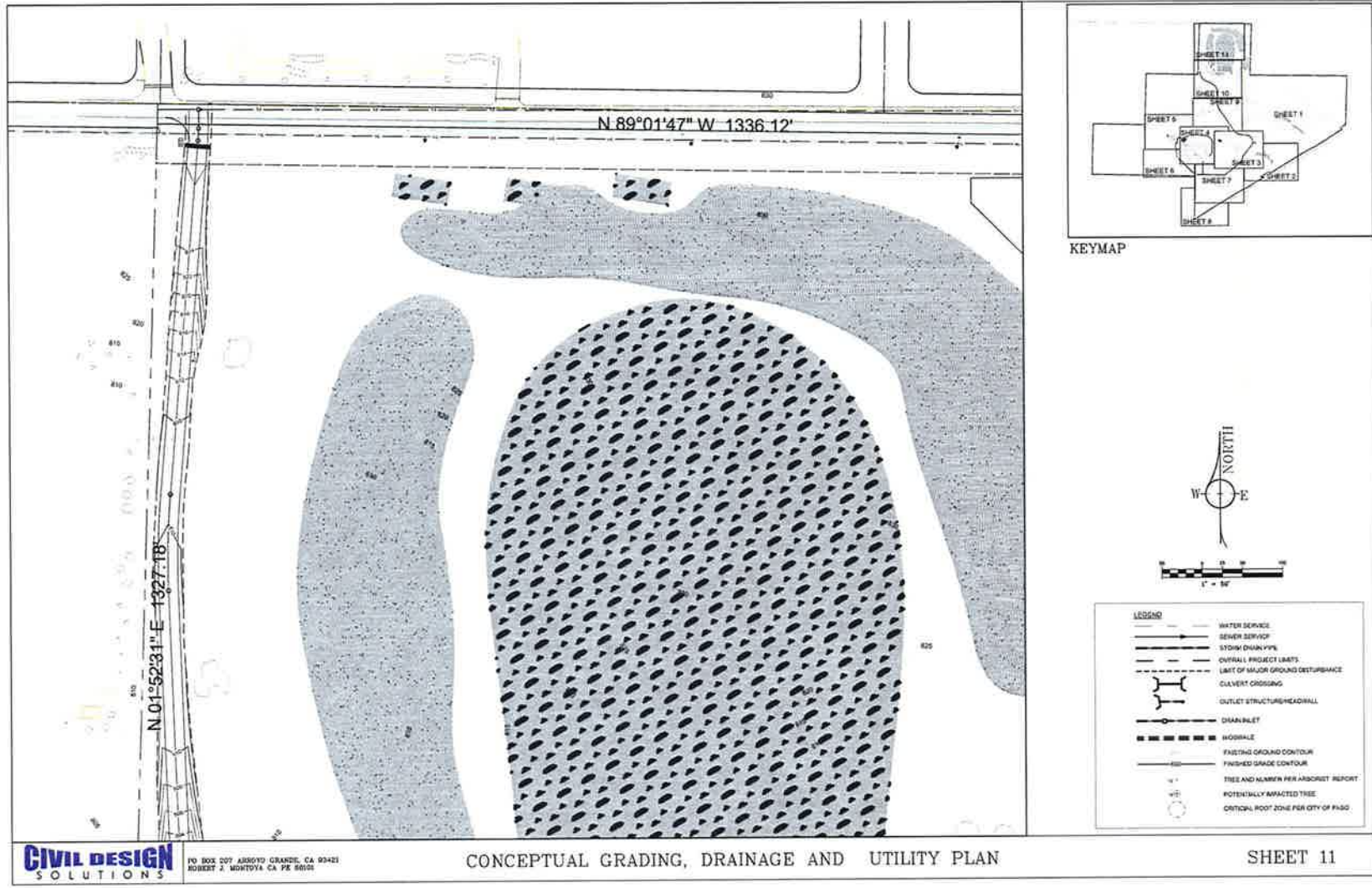


ENTRADA de PASO ROBLES
 HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual
 Grading,
 Drainage and
 Utility Plan

C-10

Date: 11/22/13
 File name: Discovery Gardens Consultant Exhibits 1.0.rvt

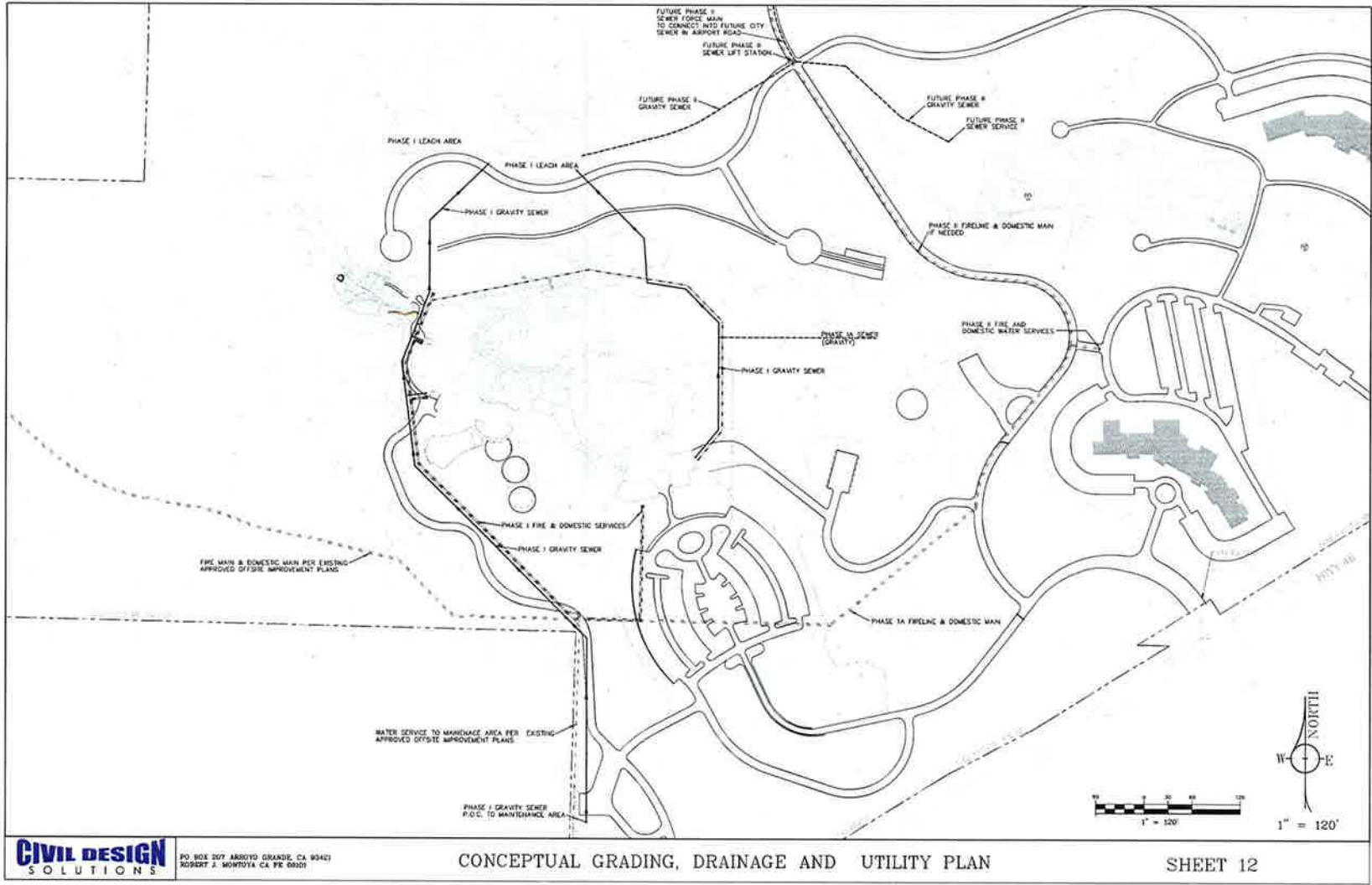


ENTRADA de PASO ROBLES
 HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual Grading, Drainage and Utility Plan

C-11

Date: 11/22/13
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ENTRADA de PASO ROBLES

HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual Grading, Drainage and Utility Plan
C-12

Date: 3/24/14
File name: Discovery Gardens Site S.1.wrk



ENTRADA de PASO ROBLES

HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Site View
Analysis Key
Plan

V-1

Date: 11/20/13
File name: Discovery Gardens Exhibits 17.wx



SIMULATED VIEW A1
TOWARDS PHASE 1 & 1A



SIMULATED VIEW A3
TOWARDS PHASE 1 & 1A

ENTRADA de PASO ROBLES
HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Site Simulated
View
Composite
Photos

V-2



SIMULATED VIEW D3
TOWARDS PHASE 2



SIMULATED VIEW E2
TOWARDS PHASE 1 & 1A

Date: 11/20/13
File name: Discovery Gardens Exhibit 1.7.mxd

ENTRADA de PASO ROBLES
HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Site Simulated
View
Composite
Photos

V-3

Date: 11/20/13
File name: Discovery Gardens Exhibits 17.wx



SIMULATED VIEW E3
TOWARDS PHASE 2



SIMULATED VIEW F1
TOWARDS PHASE 2

ENTRADA de PASO ROBLES
HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Site Simulated
View
Composite
Photos

V-4



SIMULATED VIEW G1
TOWARDS PHASE 2



SIMULATED VIEW H2
TOWARDS PHASE 2

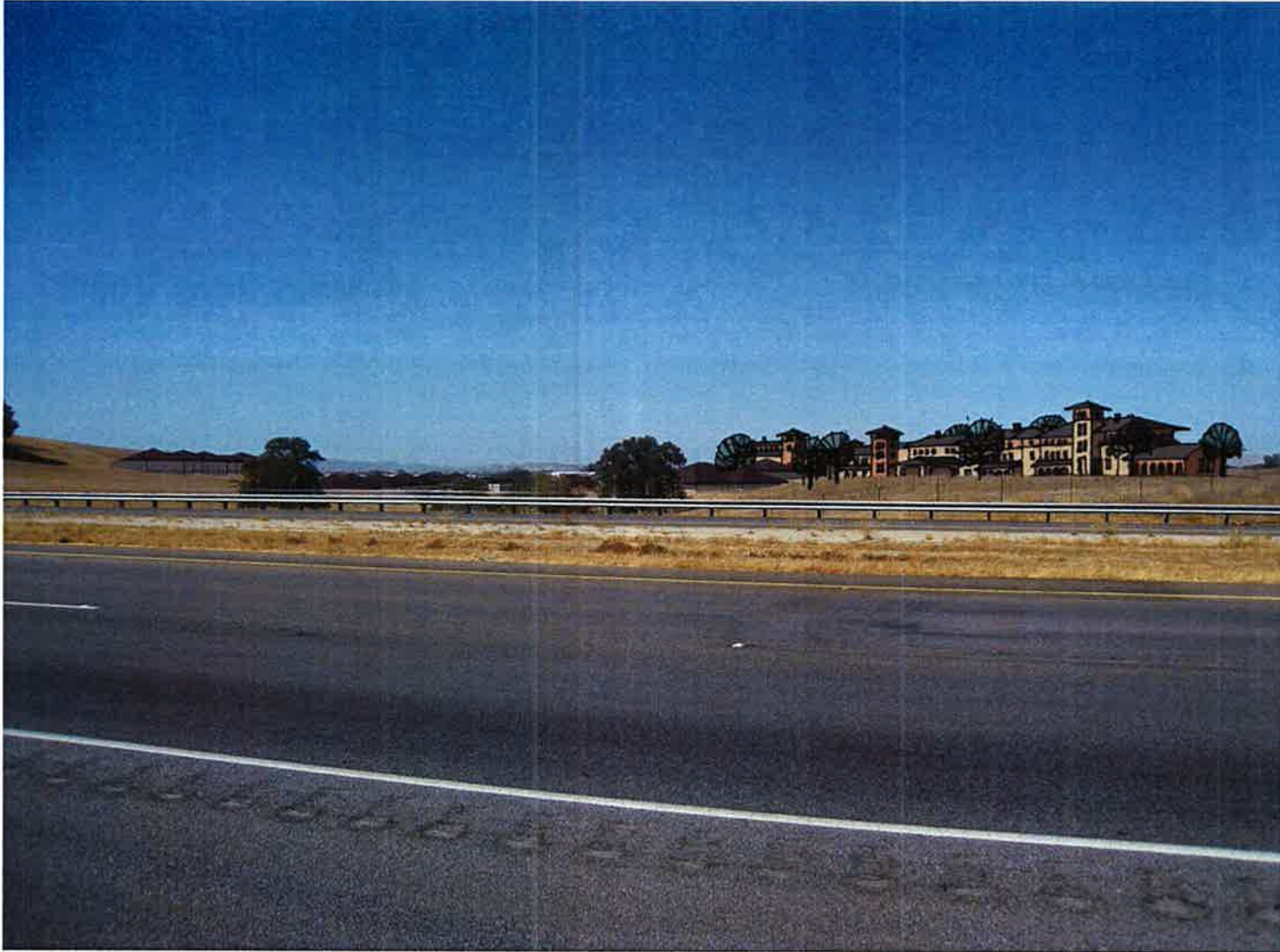
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ENTRADA de PASO ROBLES
HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Site Simulated
View
Composite
Photos

V-5

Date: 11/20/13
File name: Discovery Gardens Exhibits 1.7.vmk



SIMULATED VIEW G2

TOWARDS PHASE 2

ENTRADA de PASO ROBLES
HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Site Simulated
View
Composite
Photos

V-6



SIMULATED VIEW I2
TOWARDS PHASE 2



SIMULATED VIEW J1
TOWARDS PHASE 2

Date: 11/20/13
File name: Discovery Gardens Exhibits 1.7.wpk

ENTRADA de PASO ROBLES
HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Site Simulated
View
Composite
Photos

V-7

RESOLUTION NO.

**A RESOLUTION OF
THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES
APPROVING AN ADDENDUM TO A MITIGATED NEGATIVE DECLARATION
FOR AMENDMENTS TO PLANNED DEVELOPMENT 01-025 AND
CONDITIONAL USE PERMIT 01-017, LOT LINE ADJUSTMENT PR 13-0102
AND OAK TREE REMOVAL PERMIT 14-003
4380 STATE ROUTE 46 EAST, APNs 025-431-044, -045, -049
APPLICANT – KEN HUNTER
ENTRADA DE PASO ROBLES**

WHEREAS, an amendment to Planned Development 01-025 and Conditional Use Permit 01-017, Lot Line Adjustment PR 13-0102, and Oak Tree Removal Permit 14-003 has been filed by Ken Hunter; and

WHEREAS, this application includes a proposal to modify the previously approved Master Site Plan and certain land uses. The proposal includes maintaining the entitlement of a 200-room hotel, 80 casitas guest units, conference center, hotel restaurant, and wine center. Specific modifications include eliminating the 27-hole golf course and replacing it with a destination garden-themed attraction, “Discovery Gardens”, café at the gardens, ornamental landscape production areas, 18-acre vineyard, and a 3-hole golf academy; and

WHEREAS, the project is consistent with the General Plan land use designation and Zoning of Parks and Open Space (POS) and Agriculture (AG), the Paso Robles Airport Land Use Plan, Economic Strategy, and the Gateway Design Standards; and

WHEREAS, applications for a Lot Line Adjustment (PR 13-0102) and an Oak Tree Removal Permit (OTR 14-003) have been submitted concurrently with amendments to the Planned Development (PD 01-0125 and Conditional Use Permit (CUP 01-017); and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 13, 2014 on this project to accept public testimony on the proposed amendments to PD 01-025 and CUP 01-017, LLA PR 13-0102, and OTR 14-003; and

WHEREAS, any oak tree removals requested to accommodate the proposed development site plan shall be approved by the City Council, and oak tree replacements shall be established in compliance with the City’s Oak Tree Preservation Ordinance; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City’s Procedures for Implementing CEQA, an Addendum to the adopted Mitigated Negative Declaration (MND) was prepared and has been added to the Mitigated Negative Declaration, which is provided in Exhibit A; and

WHEREAS, State CEQA Guidelines (Sections 15162 and 15164) provide that an Addendum to an adopted MND may be prepared if none of the conditions triggering a subsequent Negative Declaration are present; and

WHEREAS, the Addendum evaluates whether modifications to the original project (i.e. Black Ranch Resort), now known as the “Entrada de Paso Robles Resort” would result in any new or substantially more adverse significant effects or require any new or modified mitigation measures not identified in the 2002 MND.

WHEREAS, several updated special studies have been prepared to determine if the proposed modifications would result in any new or more severe significant effects not identified in the 2002 MND. Based on these studies, and a full analysis of the scope of the proposed modifications, as compared to the original project, none of the criteria specified in CEQA Guideline 15162 is triggered requiring a subsequent or supplemental environmental document to be prepared. In particular, there have been no:

- Substantial changes proposed for the project that will require major revision of a previous Negative Declaration due to the involvement of new, significant environmental effects or a substantial increase in the severity of previous identified effects;
- Substantial changes with respect to the circumstances under which the project is undertaken, requiring major revision to a previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified ones;
- New information of substantial importance that was not known or could not have been known without the exercise of reasonable diligence at the time the previous ND was adopted that shows any of the following:
 - The project will have one or more significant effects not discussed in the previous ND;
 - Significant effects previously examined will be substantially more severe than disclosed in the previous ND;
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt them.

WHEREAS, this Addendum incorporates the mitigation measures detailed in the 2002 MND. With the incorporation of these mitigations that address aesthetics, water resources, biological resources, transportation, and air quality, no significant impacts will result from the proposed project and no new or increased significant impacts will result from the proposed project. All impacts will be reduced with the existing mitigation measures. These mitigation measures are provided in Exhibit B, Mitigation Monitoring and Reporting Plan - Mitigation Measures Summary; and

WHEREAS, a public hearing was conducted by the Planning Commission on May 13, 2013 to consider the Addendum to the adopted MND prepared for the proposed project, and to accept public testimony on the Planned Development Amendment, Conditional Use Permit Amendment, Lot Line Adjustment and Oak Tree Removal Permit; and

WHEREAS, based on the information and analysis contained in the Addendum prepared for this project and testimony received as a result of the public notice, the Planning Commission finds that there is no substantial evidence that the modified project would result in significant effects on the environment with mitigation measures implemented as a result of the development and operation of the proposed project.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of El Paso de Robles, based on its independent judgment, that it does hereby adopt a resolution approving an Addendum to the previously adopted Mitigated Negative Declaration for Planned Development Amendment 01-025, and Conditional Use Permit Amendment 1-017, Lot Line Adjustment PR 13-0102, and Oak Tree Removal Permit 14-00, in accordance with the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA.

PASSED AND ADOPTED THIS 13th day of May, 2014, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN DOUG BARTH

ATTEST:

ED GALLAGHER, PLANNING COMMISSION SECRETARY

ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM
CITY OF PASO ROBLES
PLANNING DIVISION
Draft: July 18, 2002

- 1. PROJECT TITLE:** Planned Development PD 01-025 & Conditional Use Permit CUP 01-017
- Concurrent Entitlements:** PD 01-025
CUP 01-017
- 2. LEAD AGENCY:** City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446
- Contact:** Darren R. Nash, Associate Planner
Phone: (805) 237-3970
- 3. PROJECT LOCATION:** North side of Highway 46 East, south of Dry Creek Road and east of Airport Road (Attachment 1)
- 4. PROJECT PROPONENT:** Black Ranch/Matt Masia
- Contact Person:** RRM Design Group, John Knight
Phone: (805) 543-1794
- 5. GENERAL PLAN DESIGNATION:** POS - Parks and Open Space (347 +/- acres)
AG - Agriculture (39 +/- acres Property fronting Dry Creek Road)
- 6. ZONING:** POS - Parks and Open Space (347 +/- acres)
AG - Agriculture (39 +/- acres Property fronting Dry Creek Road)
- 7. PROJECT DESCRIPTION:** A development application filed by Matt Masia with representative John Knight from RRM Design Group, to develop a resort complex with 200 hotel rooms and 80 casitas on an approximately 386-acre site bounded by Highway 46 East on the south, Dry Creek Road on the north, and Airport Road on the west (also known as the Black Ranch property). The Development application includes a 27-hole golf course, wine information center, outdoor events area, spa facilities, tennis courts, restaurant, café, golf clubhouse, pool, and conference facilities (Attachment 2).

The Applicant has requested that the project be separated into two development plan phases. The first phase would include the resort with 120 rooms, 40 casitas, 18 golf holes, and a golf clubhouse and conference center. The second phase would include an additional 80 rooms, 40 casitas, a 9-hole executive golf course, and additional conference facilities (APN: 025-431-044, 045, and 049). A more complete project description is attached (Attachment 2).

8. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED):

United States Army Corps of Engineers: Wetlands and Stream Crossings
California Department of Fish and Game: Stream Crossings
Air Pollution Control District: Air Emissions
Regional Water Quality Control Board: Storm Water Permits

9. RELATED ENVIRONMENTAL DOCUMENTATION:

This area is included in the City of Paso Robles' 1990 General Plan Update. An Environmental Impact Report (EIR) was certified for the City's General Plan Update. This property was also part of a larger annexation and rezoning done in 1998. The Initial Study done in 1998, along with additional environmental studies and analysis, are listed at the end of this document. These studies were considered during the preparation of this Initial Study.

10. CONTEXT OF ENVIRONMENTAL ANALYSIS FOR PROJECT:

This Initial Study analyzes the potential impacts associated with a development application to develop a resort complex with 200 hotel rooms and 80 casitas on an approximate 386-acre area bounded by Highway 46 East on the south, Dry Creek Road on the north, and Airport Road on the west (also known as the Black Ranch property). The Development application includes an 18-hole golf course and an additional 9-hole executive golf course, wine information center, outdoor events area, spa facilities, tennis courts, restaurant, café, golf clubhouse, pool, and conference facilities to be built in two phases. This Initial Study is intended to address the environmental impacts of both phases.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- Land Use & Planning
- Transportation/Circulation
- Public Services
- Population & Housing
- Biological Resources
- Utilities & Service Systems
- Geological Problems
- Energy & Mineral Resources
- Aesthetics
- Water
- Hazards
- Cultural Resources
- Air Quality
- Noise
- Recreation
- Mandatory Findings of Significance

DETERMINATION

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. **A NEGATIVE DECLARATION** will be prepared.

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

I find that the proposed project **MAY** have a 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." An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effect(s) that remain to be addressed.

Signature

Darren R. Nash

Printed Name

Date

Associate Planner

Title

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. 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 as well as general standards.
2. All answers must take account of the whole action involved. 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 XVII, “Earlier Analyses,” 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). Earlier analyses are discussed in Section XVII at the end of the checklist.
6. References to information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist. A source list has been provided in Section XVII. Other sources used or individuals contacted have been cited in the respective discussions.
7. The following checklist has been formatted after Appendix I of Chapter 3, Title 14, California Code of Regulations, but has been augmented to reflect the needs and requirements of the City of Paso Robles.

Note: Standard Conditions of Approval: The City imposes standard conditions of approval on projects which are considered to be components of or modifications to the project, some of these standard conditions also result in reducing or minimizing environmental impacts to a level of insignificance. However, because they are considered part of the project, they have not been identified as mitigation measures. For the readers’ information, a list of applicable standard conditions identified in the discussions has been provided as an attachment to this document.

SAMPLE QUESTION:

<i>ISSUES (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<i>Would the proposal result in or expose people to potential impacts involving:</i>				
<i>Landslides or Mudflows?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The attached source list explains that 1 is the Paso Robles General Plan and 6 is a topographical map of the area which show that the area is located in a flat area. (Note: This response probably would not require further explanation).

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

- a) Conflict with general plan designation or zoning?

Discussion: The 347 +/- acres of land in which the resort and 18-hole golf course are proposed to be located has a General Plan designation of Parks and Open Space (POS) and the zoning is also POS. Table 21.16.200 of the Zoning Code, Permitted Land Uses for All Zones Districts, would allow Resort Hotels with Golf Courses as accessory uses with the approval of a Conditional Use Permit within the POS and AG zones. The 39+/- acre parcel that is bounded by Dry Creek Road on the north is zoned AG and the plans propose a 9-hole "executive" type course on that part of the site. As previously stated, golf courses are permitted as an accessory to a Resort/Hotel development with the approval of a Conditional Use Permit.

- b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?

Discussion: Since the City of Paso Robles has jurisdiction over the property; there are not any existing environmental plans or policies adopted by other agencies.

- c) Be incompatible with existing land use in the vicinity?

Discussion: Surrounding uses include industrial parcels to the north of Dry Creek Road, single family/rural density parcels to the west and east, and the Hunter Ranch Golf Course across Highway 46 to the south. The Hotel/Resort along with the golf course uses could introduce some different land uses to this area of the City.

The size and physical characteristics of the Black Ranch site would allow adequate room to provide vineyards and/or other forms of buffering of recreational and commercial activity from adjoining residential and agricultural uses. Land use incompatibility is not considered a significant impact of the proposal.

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

Discussion: See I.(c).

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

Discussion: The existing pattern of development within the area consists primarily of low density/rural residential development (20-40 acre parcels) and agricultural uses. The proposed resort development will be consistent with the adjoining land uses.

II. POPULATION AND HOUSING. Would the proposal:

- a) Cumulatively exceed official regional or local population projections?

Discussion: No new residential density is proposed or permitted within the site. Based on these factors, this project would not exceed local population projections.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?

Discussion: While development of a visitor serving resort and golf course use would require the extension of sewer and water infrastructure to the site, City General Plan policies would prohibit the introduction of additional residential density in the Airport Area. Also, the POS zoning does not permit residential development. Any additional residential density beyond the current minimum lot size within the Agricultural zoning district would not be expected.

- c) Displace existing housing, especially affordable housing?

Discussion: There are five existing dwelling units within the site. Two of these are mobile homes. All five units were built or moved onto the property over the course of 30 to 40 years as private homes and/or worker quarters and are now currently rented out. These residences would be removed with the construction of the project. These five homes would no longer be part of the rental market.

The City has an aggressive housing program in place that provides subsidies for first time homebuyers and low interest loans for housing related infrastructure and improvements. The elimination of five dwelling units from the City and County's housing market is not considered significant in light of the City's existing housing programs and proportionately higher ratio of affordable homes within San Luis Obispo County.

III. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:

- a) Fault rupture?

Discussion: This portion of San Luis Obispo County (generally the Paso Robles area) is located at the far southerly end of the Salinas Valley which also extends up into Monterey County. There are two known fault zones on either side of this valley. The San Marco-Rinconada Fault system runs on the west side of the valley. The San Andreas Fault is on the east side of the valley and runs through the community of Parkfield east of Paso Robles. The City of Paso Robles recognizes these geologic influences in the application of the Uniform Building Code to all new development within the City. Soils reports and structural engineering in accordance with local seismic influences would be applied in conjunction with any new development proposal. Based on standardly-applied conditions of approval, the potential for fault rupture and exposure of persons or property to seismic hazards is not considered significant.

- b) Seismic ground shaking?

Discussion: See the response to Section III(a). Based on that response, the potential for exposure of persons or property to seismic hazards is not considered significant.

- c) Seismic ground failure, including liquefaction?

Discussion: The City's General Plan contains public safety policies that would require special attention to projects with potential for liquefaction. The seasonal Dry Creek stream channel bisects the site from east to west. If development were proposed in the vicinity of this channel, City policies would require geotechnical

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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documentation as part of development application review. Also, see the response to Section III(a). Based on the above discussion, the potential for exposure of persons or property to seismic hazards, including liquefaction is not considered significant.

- d) Seiche, tsunami, or volcanic hazard?

Discussion: The project site is not located in an area identified at risk for seiche, tsunami, or volcanic hazards.

- e) Landslides or Mudflows?

Discussion: The majority of the site is comprised of the Arbuckle series (Positas), and Sesame Loam. These soil complexes are prone to erosion. This is not atypical of surrounding lands that have been developed with golf course (e.g. Hunter Ranch Golf Course) or commercial development (City Airport area). Any development proposal would need to appropriately document the underlying characteristics of the soil where new development was proposed in accordance with City policies and Uniform Building Code. Erosion control measures would be incorporated into any future development proposal to keep standard erosion concerns in check. Based on the above discussion and future standard measures for new development, the potential for landslide is not considered significant.

- f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?

Discussion: See the discussion in Section III(e). In addition to standard erosion control measures being part the project development, all grading would be subject to standard conditions of approval ensuring that soils conditions are suitable for the proposed structures and improvements. As such, no significant impacts are anticipated.

- g) Subsidence of the land?

Discussion: See the discussion in Sections III (e) and (f) above. No significant adverse impacts are anticipated.

- h) Expansive soils?

Discussion: See the discussion in Sections III (e) and (f) above. No significant adverse impacts are anticipated.

- i) Unique geologic or physical features?

IV. WATER. Would the proposal result in:

- a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?

Discussion: The City of Paso Robles has standard policies and conditions in place to require all new

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

development to provide detailed grading and drainage information in conjunction with new development. A hydrological study was submitted with the project. The report had the following conclusions:

Dry Creek's total watershed consists of 13,490 acres, with the upper sub-watershed being 7,130 acres, and the lower of 6,360 acres. Even though the watershed size of Dry Creek is large, its elongated shape creates long times of concentration and lower peak flow rates as compared to a more circular shaped watershed. The HEC-1 output displays the peak flow rates and times at the watershed's point of concentration, the "wave peak" through the routed creek channel, and nodes of confluence (junctions). Looking at the point of Dry Creek at Black Ranch, the peak flow from Dry Creek will occur 3.75-hours after the peak flow from Black Ranch has left the site and gone downstream in Dry Creek. In more detail, in a 24-hour storm event, Black Ranch will have its peak flow rate at 10.25-hrs. (w/ 482 cfs), while Dry Creek's peak flow rate "wave" will not arrive just upstream of the site until 14.00-hrs. (w/ 1525 cfs). The peak flow rate at the confluence of the Dry Creek and Black Ranch watersheds occurs at 13.92-hrs. (w/ 1585 cfs).

It can be seen that the peak flow or "wave" of storm water coming down Dry Creek to the site will not occur until almost 4-hours after Black Ranch's peak flow rate has already happened and moved downstream. Therefore, it would seem reasonable to say that detention of on-site runoff of Black Ranch to Dry Creek would not be necessary to mitigate increases to Dry Creek's peak flow rates passing through the project. Direct discharge of the project's runoff to Dry Creek would be in conformance with the existing lag between their watersheds.

The City Engineer has reviewed the report and has concluded that Mitigation Measures need to be added to address the channeling of runoff into improved storm drain facilities. A mitigation measure is also needed to ensure adequate protection of oak trees that will remain on-site after construction is complete. With the mitigation measures, drainage impacts are considered to be a less than significant impact at this time.

W-1: Detention and storm drain systems will be channeled to storm drainage facilities to be reviewed and approved by the City Engineer. Storm water discharge from the proposed development will be designed to maintain historic flows to off-site channels.

W-2: Drainage patterns will not be altered to allow new runoff to drain into the drip line of existing oak trees.

- b) Exposure of people or property to water related hazards such as flooding?

Discussion: The seasonal Dry Creek stream channel traverses this site, but the majority of the project area is located outside any floodplain zones as identified by the City of Paso Robles's Flood Hazard Area Map showing 100- and 500-year flood zones. See Attachment 10 to this document for the delineation of flood areas. Based on the standardly-applied conditions of approval utilized by the City, the proposed development is not anticipated to impose any significant adverse flooding impacts.

- c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)?

- d) Changes in the amount of surface water in any water body?

Discussion: There are several man-made reservoirs on the project site used for cattle grazing, stock pond

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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purposes. These ponds are proposed to be enhanced in conjunction with the site development. It is understood at this time that these ponds would be under the jurisdiction of the United States Army Corps of Engineers because of their wetland characteristics. All future development and/or discharge to these man-

made ponds would be subject to Corps permits. However, outside of these man-made features there are not any bodies of water that would be affected by this proposal. The Dry Creek stream channel is discussed in other portions of this Section. No adverse impacts to a body of water are anticipated.

- e) Changes in currents, or the course or direction of water movement?

Discussion: The seasonal Dry Creek stream channel traverses the site from east to west, flowing toward the Huerhuero River seasonal channel. The Dry Creek streambed is located within mapped 100-year flood areas and is also identified within the Biological Resource Assessment Report as having value as a wildlife movement corridor. Although the golf course would be located near the creek, there would not be a change in the course or direction of the creek. There are some bridges that would be placed over the creek in order to connect the two sides, but the course of direction would not be changed. Based on the identified constraints associated with the channel, the development on the site has been designed so as to minimize encroachment and impact to the natural course. Mitigation measures recommended in Section VII (biology) will protect the current perennial watercourse and, therefore, no adverse impact is anticipated.

- 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?

Discussion: There are two wells existing on the Black Ranch site. These wells service the five existing homes and supply the man-made stock ponds as well. One well is located near the Eberle Winery property at the southwest edge of the property. The other well is located northwest of the main stock pond.

The development would require connection to the City's domestic water system. The golf course is likely to be irrigated through the continued active use of the on-site wells. The EIR prepared for the Huerhuero Golf Course (west side of Airport Road, south of Dry Creek Road) analyzed the potential impacts of golf course irrigation on groundwater withdrawal and recharge capabilities. Extensive pump testing was conducted and computer modeling was done to simulate pumping activity for the needs of a golf course. The irrigation needs for the golf course were projected to be 350-acre feet per year. The conclusion of that study was that the proposed Huerhuero golf course well pumping at an annual volume of 350-acre feet per year would not adversely impact wells at distances of 2,000 feet or greater, and that wells at distances from 500 to 2,000 feet would only be marginally impacted.

The projected irrigation needs for the Black Ranch golf course are not expected to exceed those analyzed within the Huerhuero Golf Course EIR. Based on the past analysis conducted for the Huerhuero golf course, the conclusions of that study, and that the existing Black Ranch wells are actively used already, the incremental change in water withdrawal on the site to serve a future golf course would be considered less than significant.

- g) Altered direction or rate of flow of groundwater?

Discussion: See the discussion in Section IV(f) above. Based on that discussion, impacts to groundwater are

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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considered to be less than significant.

- h) Impacts to groundwater quality?

Discussion: Any future use of chemical application to the golf course would be applied in compliance with the Agricultural Commissioner's permitting requirements (inclusive of fertilizers and any pesticide application). A standard requirement for golf courses is for all chemical applications to be regulated through an Integrated Golf Course Management Plan (IGCMP) that establishes operational parameters to minimize impacts to groundwater and the surrounding environment. Example operational measures within an IGCMP would be the prohibition of chemical application during heavy rain flows, appropriate storage (including containment) of all herbicides and pesticides, and the limitation on number of times a year that each can be applied. A project specific IGCMP would be required at such time that an actual development application were proposed and permitting of chemical applications would be the purview of the Agricultural Commissioner.

There are six septic systems that exist on the Black Ranch property at this time. Future site development would extend City sewer service to the site and eliminate the need to maintain these ground leach systems. Standard conditions of future project development would require these septic systems to be appropriately abandoned, thereby eliminating an existing potential source of groundwater contaminate.

Based on the above discussions and mitigations to be practiced for future chemical applications, and the elimination of on-site septic systems, potential impacts to groundwater supplies is considered to be potentially significant, but able to be mitigated at the time a project is proposed.

Mitigation practices to be implemented:

W-3: Applied irrigation rates will utilize local evapotranspiration information to reduce the amount of groundwater infiltration by irrigation water.

W-4: Fertilizer will not be applied within 24 hours before a predicted rainfall to minimize leaching by rainwater, and soils will be tested and monitored for nutrient levels to ensure fertilizer application rates match uptake rates by turf grasses. Such monitoring shall be conducted annually by the course management and the results made available to the Agricultural Commissioner.

W-5: The Applicant will develop an Integrated Golf Course Management Program (IGCMP) with specific guidelines on the use of pesticides and fertilizers to reduce the use of chemical applications that could contaminate the ground water. Pest Management practices to be addressed in the Plan are:

- Anti-back siphoning devices shall be used in application equipment to reduce the potential for pesticide contamination of groundwater of other water supplies during irrigation.
- Slow release organic fertilizers will be used wherever possible as an effective biological method to help suppress many turf pathogens.
- The use of bacterial additives to enhance nitrogen uptake and improve turf disease resistance shall be considered when these become commercially available.
- All chemicals shall be applied by or under the supervision of a trained, licensed operator following all manufacturer's directions for proper chemical/fertilization application and container disposal procedures.
- To act as a buffer between turf and natural vegetation zones, a band of native perennial grass shall be established adjacent to the short rough. This buffer will filter the non-point source fertilizer runoff.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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| i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See the discussion in Section IV(f) above. Based on that discussion, no substantial reduction in ground water supply is expected.

V. AIR QUALITY. Would the proposal:

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| a) Violate any air quality standard or contribute to an existing or projected air quality violation? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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Discussion: 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. The potential for future project development to create adverse air quality impacts falls generally into two categories: Short-term and long-term impacts.

Short-term impacts are associated with the grading and development portion of a project where earthwork generates dust, but the impact ends when construction is complete. Long-term impacts are related to the ongoing operational characteristics of a project and are generally related to vehicular trip generation and the level of offensiveness of the on-site activity being developed.

Morro Group, Inc. Environmental Consultants has prepared a Comprehensive Air Quality Mitigation Plan for the Black Ranch Resort project. The plan has been prepared to assist the APCD in the review of emissions that would result from the project. The plan outlines the short-term and long-term emissions the project would produce and the necessary mitigation measures that would be necessary in order to reduce the amount of emissions to a level of insignificance.

The project was submitted to the APCD for their review and comment. Their initial comments were that the proposed project has the potential to exceed the District Tier II (25lbs./day) CEQA significance thresholds for the construction and operations phase emissions. However, the APCD agreed to consider a comprehensive air quality mitigation plan that would reduce the impacts from the project to a level of insignificance.

In response to the initial comments from APCD, the Applicant submitted a Comprehensive Air Quality Mitigation Plan performed by the Morro Group. The Plan concluded that the proposed development of the Black Ranch Resort could be mitigated to a level of impacts considered to be less than significant. All appropriate and feasible mitigation measures have been assigned to the project to reduce both short-term and long-term project emissions. Implementation of the assigned mitigation measures will reduce short-term construction and long-term operational emissions. A complete listing of the mitigation measures is included in Attachment 9 as well as in the Mitigation Monitoring Table.

Mitigation shall consist of implementing the on-site and off-site mitigation measures contained in the Air Quality Management Plan identified as AQ-1 through AQ-21 in the Mitigation Monitoring Plan.

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| b) Expose sensitive receptors to pollutants? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The rural development character of the area would result in natural buffering between existing dwelling units and proposed development. However, there would be short-term exposure of people to construction dust and odors. There are dust control measures and construction circulation plans that could be established in the future to help reduce those impacts to the greatest degree possible. Appropriate

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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mitigation measures should be analyzed in conjunction with the quantifying air impacts as described above in Section V(a).

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| c) Alter air movement, moisture, or temperature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create objectionable odors? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: No objectionable odors are anticipated with future project development.

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

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| a) Increased vehicle trips or traffic congestion? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The conceptual site plan for the Black Ranch project shows two access points for the proposed project. The main access would be located on State Route 46 directly across from Hunter Ranch Golf Course (at one of the existing access points on the property). The conceptual plan also shows potential secondary access via a connection through the Eberle Wine tasting Facility.

A Traffic and Circulation Study was prepared by Associated Traffic Engineers of Santa Barbara at the time of the annexation process. The conclusion of that study is that increased vehicle trips that might result from the project development scenario would not cause any surrounding intersections to operate at less than Level of Service (LOS) C. Maintaining LOS C or better intersections is an established policy of the City's General Plan Circulation Element. Therefore, the traffic analysis conducted at a program level indicated impacts on existing circulation corridors or intersections is less than significant.

With the submittal of the proposed Development Plan and Conditional Use Permit, a revised traffic study, prepared by Associated Traffic Engineers was performed. The study concluded that the project addition of P.M. peak hour traffic would have only a minor effect on the State Route 46/Hunter Ranch Golf Course intersection. The addition of project traffic to the intersection would continue to operate at a Level of Service of C or better (See Attachments 13, 14, 15, 16, 17 and 18).

Although according to the traffic study the project would operate at a Level of Service C or better, which would meet the City's policies, there are mitigation measures the applicant will need to complete prior to beginning construction of the project.

ATE within their traffic study identified that as part of the State Route 46 Corridor Improvement Project, the Black Ranch frontage and main access will be improved. State Route 46 will be improved to a 4-lane expressway from Airport Road to east of Shandon. At the main access, the preliminary design indicates that in addition to widening to 4 lanes, exclusive left-turn and right-turn lanes will be provided on both the eastbound and westbound approaches. The State Route 46 Corridor Improvement Project is scheduled to begin construction Spring 2004 and construction will be completed in 2007 to 2008.

The project was sent to Caltrans for review where Caltrans identified that the project improvements mentioned above would need to be in place prior to construction of the Black Ranch Project. RRM Design Group responded to Caltrans' comments and agreed that the improvements would be made prior to construction. Prior to issuance of a grading permit, the following mitigation measures shall be performed to the State Highway 46 East frontage:

- T-1:** Construct left turn channelization to accommodate the eastbound SR 46 Northbound Project driveway left turn movement. Left turn channelization shall be constructed to full Caltrans Standards.
- T-2:** Construct eastbound SR 46 acceleration lane to accommodate the southbound project driveway to

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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eastbound SR 46 left turn movement. The acceleration lane shall be constructed to full Caltrans Standards.

T-3: Construct right turn channelization to accommodate the westbound SR 46 to northbound project driveway right turn movement. Right turn channelization shall be constructed to full Caltrans standards.

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| b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See mitigation measures in VI(a) which outlines the design features that the applicant will construct prior to construction of the project. With the construction of the acceleration and turn lanes, there should not be hazards to safety from design features and the level of potential significance will be reduced to less than significant.

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| c) Inadequate emergency access or inadequate access to nearby uses? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The City of Paso Robles has public safety policies in place that would require two points of access for emergency response needs of any future recreational/commercial development. The site has three legal access points along the Highway 46 corridor and frontage all the way through to Dry Creek Road. There would not appear to be any problem in providing for two points of access to any future development.

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| d) Insufficient parking capacity on-site or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The development plan for the resort area shows a parking lot to handle all of the necessary parking for the resort. It is anticipated that there would be one large lot to serve the resort and that other vehicles such as golf carts would be used to get people around the resort area.

With the future specific development plans for the golf courses, adequate parking would need to be provided with that plan. With the large area of the Black Ranch site, it is not anticipated that parking would be a problem.

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| e) Hazards or barriers for pedestrians or bicyclists? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: There are no existing bike circulation routes or pedestrian paths in the vicinity of the project area, although many of the rural roads within San Luis Obispo County are used for cycling and walking. The development on the site would not interfere with any existing patterns of movement for bicyclists and pedestrians.

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| f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The City of Paso Robles has General Plan policies in place that encourage the development of facilities that will accommodate alternative forms of transportation whenever possible. The project has room on site to accommodate bus and limousine drop off areas, bike racks, and the distribution of bus and bike route information.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact
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- g) Rail, waterborne, or air traffic impacts?

Discussion: The Black Ranch area is located in areas 4 and 5 of the City's adopted Airport Land Use Plan, which would conditionally permit the types of land uses that are programmed for the site at this time. The POS zoning is located outside of the runway climb-out zones and does not conflict with adopted plans. Consistent with City policies for development around the airport area, the requirement to record navigation easements across the property (formalizing the right for air travel above the subject property) will be added as a condition of approval. There are no conflicts with rail or waterborne traffic.

T-4: Record an aviation easement prior to recordation of any final maps or issuance of any building permits.

VII. 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)?

Discussion: A Biological Resource Assessment was prepared by Gaylene Tupen in 1998 for the project in conjunction with the Black Ranch Annexation (Attachment 5). In addition, Morro Group biologists conducted site visits to the Black Ranch site on July 15, 2001, and September 7, 2001, to characterize the present condition of the property, and to document substantive changes in the environmental setting of the parcel since the 1998 survey (Attachment 6).

The 2001 Biological Assessment concluded that site conditions are similar to 1998. However, riparian habitats formally associated with the ponds located at the central and east central portions of the site have been substantially degraded by cattle grazing and trampling. Pond-side vegetation classified as seasonal freshwater marsh habitat within the 1998 assessment is largely non-existent during the 2001 site surveys. No other substantive changes from those noted within the 1998 survey were noted.

A few special-status plant species have potential to occur on site. These plants are Oval-leaved snapdragon, Salinas milk vetch, dwarf calycadenia, Douglas' spineflower, and Shining navarretia. In addition, occurrence of Salinas Valley goldfields was confirmed during a survey of the southwestern portion of the site. Of these species, only two require listing in this study, the Dwarf calycadenia and the Shining navarretia. A survey for these will be conducted during the appropriate flowering season to identify their presence and location. If found within development areas, the appropriate mitigation noted below will be required.

Special-status wildlife include Kit Fox, San Joaquin Pocket Mouse, American Badger, Northern Harrier, White-tailed Kite, Golden Eagle, Burrowing Owl, and Loggerhead Shrike. Two loggerhead shrikes were observed on the northern portion of the site. Pre-construction surveys will be required for Kit Fox, Burrowing Owl, and American Badger.

Both the 1998 and 2001 surveys are attached to this Initial Study. From the surveys is a list of mitigation measures that once performed would reduce this project to a less than significant impact.

To avoid impacts to special-status plants :

B-1: A qualified botanist shall be retained by the applicant to conduct pre-construction surveys for rare plants in those areas proposed for development on site. These surveys shall be conducted within the appropriate flowering periods for the various species reported from the area and identified previously within this report. If rare plant populations are identified within areas likely disturbed by development, the applicant shall redesign the project to avoid the rare plant populations. Should avoidance not be feasible, the applicant

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

shall translocate the species to other suitable habitat within the project vicinity in accordance with the recommendations of the qualified botanist. Should translocation not be possible, new species shall be planted at a ratio of 2:1. The translocated or replanted species shall be monitored for a period of two (2) years. Replanting shall be performed so that there is no net loss of species after the two (2) year period.

To avoid impacts to special-status animals:

B-2: Immediately prior to commencement of construction activities, retain a qualified biologist (USFWS-approved) to perform pre-construction surveys to monitor all potential Kit Fox dens located within a proposed development area. The pre-construction surveys shall cover all proposed new development areas containing oak woodland or grassland habitats. Because Kit Fox can often be highly transient, pre-construction surveys shall be conducted not more than 30 days in advance of surface disturbance in any particular area. Because the proposed project would likely be developed in phases, a new pre-construction survey shall be conducted in association with each major development phase.

B-3: During the pre-construction survey, all evidence of habitat utilization within proposed development areas shall be documented by the selected biologist. All dens encountered within the survey areas that meet size criteria for Kit Fox shall be identified with wire pin flags and clearly mapped.

B-4: All dens located within areas proposed for development shall be monitored by the biologist, as appropriate, to determine each den’s current utilization status by Kit Fox.

B-5: All Kit Fox dens determined not to be actively utilized shall be hand excavated under the direct supervision of a qualified biologist and immediately filled to prevent re-entry.

B-6: Any dens determined to be occupied by adults or Kit Fox pups must be documented and immediately reported to the appropriate agencies. Dens occupied by adult fox will be hand excavated by the qualified biologist after the Kit Fox has left the den. The excavation will then immediately be filled. If during monitoring a den is found to be occupied by Kit Fox pups, thereby qualifying as a “natal den”, the den must be left undisturbed until the young have naturally dispersed. If development proceeds in the immediate vicinity prior to dispersal of the young, an exclusion zone of 150 feet radius shall be established around the entrance to the den. No development and construction activities will be allowed within the exclusion zone established by the qualified biologist, until approval to proceed is provided by USFWS. Specific measures for avoiding impacts to Kit Fox shall be identified and implemented through consultation with USFWS and CDFG, and according to the current protocols for Kit Fox protection.

B-7: Upon completion of the pre-construction surveys, the qualified biologist shall provide a supplemental report to the appropriate representatives of the USFWS and CDFG.

Regardless of the results of the pre-construction surveys, the following measures shall be implemented throughout the duration of proposed construction activities to prevent direct impacts to transient individuals that frequent the subject property and individuals utilizing dens within proposed development areas. Implementation of the following measures will also serve to avoid or minimize disturbance of other important wildlife species that may frequent the area during construction.

B-8: A worker education briefing shall be conducted for all employees involved with construction of the proposed facilities. The educational briefing shall include identification of species of concern within the project vicinity, project mitigation requirements, reporting responsibilities, and penalties for failure of compliance.

B-9: The boundaries of all work areas shall be delineated by flagging or other clearly visible marking to minimize surface disturbance associated with possible vehicle straying.

B-10: Project-related vehicles shall observe a 20-mile per hour speed limit throughout the property to

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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reduce the potential for impacting Kit Fox.

B-11: All construction shall be restricted to within daylight hours to avoid affecting Kit Fox nocturnal activities.

B-12: All holes or trenches shall be thoroughly inspected for trapped animals prior to filling. In the event that a trapped or injured Kit Fox is discovered during construction, the USFWS field office in Ventura and local CDFG representative shall be immediately notified.

B-13: Because Kit Fox are attracted to den-like structures such as pipes, all construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that area stored within work areas for overnight periods shall be thoroughly inspected for Kit Fox before the pipe or culvert is buried, capped, or moved. If a Kit Fox is found inside of a pipe, the pipe shall not be moved until representatives of USFWS and CDFG are notified.

B-14: All food-related trash items shall be disposed of in closed containers and removed from associated construction zones located at the property at least once per week.

B-15: No firearms or pets shall be allowed on site during construction activities.

Preferred mitigation for the loss of habitats for a special-status species such as Kit Fox typically involves the replacement of habitats lost or modified by project development.

This project is approximately 386 acres and includes roughly 102 acres of golf course, and 38 acres of roadways, parking areas, buildings, and other permanent improvements. The remaining 216 acres will be largely undisturbed and remain in landscaping and open space. The 102 acres of golf course would not restrict travel or movement of the Kit Fox. This is consistent with the previously approved Huerhuero Golf Course Environmental Impact Report (EIR). This EIR found that the Golf Course project would result in a “less than significant impact because (1) the project does not result in physical barriers that would discourage foraging or movement, and (2) the vast majority of the highest quality habitat on site is retained within natural open space.” Mitigation for permanent improvements shall be provided as noted below.

B-16: Thirty eight (38) acres of permanent improvements shall be mitigated at a 3:1 ratio consistent with the Kit Fox Habitat Evaluation Form (attached). This would require that 114 acres be provided for habitat. This shall be mitigated on site through protection of 114 acres of open space and travel corridors on the Black Ranch property. The property owner shall improve, maintain, and protect the habitat through an easement or

other agreement. The remaining 102 acres of open space and landscaping would be subject to lesser restrictions than the 114 acres and would serve as a buffer between the 114-acre habitat and any proposed improvements.

The conservation area will also serve as replacement habitat for other special-status species potentially occurring on site including, American Badger and Burrowing Owl. General criteria for selection of a conservation area are identified below:

Identified replacement habitat shall be contiguous and would preferably be located along an existing wildlife movement corridor (i.e., dry creek, dense areas of oak woodland). Areas recommended for avoidance due to their value as wildlife migration corridor (refer to Figure 2), shall be included as part of the conservation area located on site.

Replacement habitats should reflect the general characteristics of those habitats proposed for disturbance.

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

Some passive activities may be allowed within the conservation area, as well as maintenance of a limited number of access roads. Allowable uses within the conservation area would be subject to approval by CDFG and USFWS.

Nesting Raptors

B-17: To avoid take of active Raptor nests, necessary tree removals shall be conducted between September 15 and February 15, outside of the typical breeding season. If any tree removals are determined to be necessary between February 15 and September 15, a Raptor nest survey shall be conducted by a qualified biologist prior to project implementation and any planned tree removals. The results of the Raptor nest survey shall be submitted to CDFG, via a letter report. If the biologist determines that a tree slated for removal is being used by Raptors for nesting at that time, construction in the vicinity of the nest shall be avoided until after the young have fledged from the nest and achieved independence. If no nesting is found to occur in the vicinity of proposed development, construction activities could then proceed.

- b) Locally designated species (e.g., heritage trees)?

Discussion: The site is heavily wooded with oak trees, especially within the small arroyos and the southwest portion of the Black Ranch property. Oak trees are characteristic throughout the project area. The conceptual development scenario for the site has the golf course traversing the oak areas with minimal impacts.

There are two areas of development for the project. One is the resort area where actual physical development will occur for the resort building, roads, parking lots and landscaping and the other is the golf course area. Specific survey information has been provided for the resort area. It has been anticipated that the construction of the resort will result in the removal of four oak trees.

Regarding the oak tree impacts in relation to the rest of the development, including the golf courses, specific survey information has not been performed. RRM Design Group has created a schematic impact and tree removal plan (Attachment 4). The plan identifies areas where it is anticipated that oak trees would need to be pruned and possibly removed. Since the golf course design shown on the schematic plans is conceptual, it is anticipated that the design will change, so at this time specific oak tree impacts are not known. However, the current conceptual design that represents a maximized development density shows an impact to approximately 4.75 acres of trees over the 386-acre site. This represents 8% of the trees spread throughout the 59-acre oak woodland canopy.

With the certification of the EIR for the Chandler Ranch in 2000, a threshold for significance was established regarding significant impacts to oak trees. The threshold established that the loss of oak trees would be considered significant when the loss is 10 percent or greater of the individual trees on the parcel.

Oak woodlands are considered a sensitive native habitat. Removal or degradation of any amount of the habitat or individual trees would be considered in many jurisdictions to be a significant impact requiring mitigation. The City of Paso Robles requires City Council authorization prior to tree removal of oak trees with a diameter of six inches or greater. Given the fragility of oak woodland habitats, the difficulty in establishing oaks and the fact the mitigation in the form of new plantings takes decades before significant canopy and habitat is provided, removal of greater than ten percent of oak woodland canopy or individual oak trees would be considered a significant impact.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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To minimize impacts to existing oaks and oaks to be preserved:

B-18: No more than 10% of the existing oak trees or canopy may be removed by development of the site.

B-19: Prior to construction, identify oak saplings from the development area that are suitable for relocation. To the extent feasible, saplings should be relocated to adjacent appropriate areas located along the margins of existing oak woodland, and areas proposed for preservation.

B-20: Replace all individual oak trees that cannot be transplanted and that are proposed for removal at a ratio of 4 to 1 replacement ratio, or as otherwise required by the City of Paso Robles Oak Tree Ordinance. Potential oak woodland mitigation sites should closely reflect the characteristics of areas located on site that have naturally occurring woodland expansion.

B-21: Prior to construction, retain a qualified biologist or landscape specialist to clearly mark the drip line area of each tree located outside of, but adjacent to, proposed development areas. The drip line of each tree shall be marked with highly visible flagging or construction fencing.

B-22: During construction, avoid all soil disturbance, compaction, and grading activities within, and adjacent to, the associated drip line of each tree.

B-23: Artificial irrigation shall not be located adjacent to or within the drip line of existing oaks trees. Revegetate and/or mulch disturbed areas located near remaining oaks with appropriate native vegetation or mulch.

- c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?

Discussion: While there are oak woodlands and varied habitat areas throughout the project area, there are no locally designated natural communities on this site. No adverse impacts are anticipated.

- d) Wetland habitat (e.g., marsh, riparian and vernal pool)?

Discussion: Open Water/Pond, Freshwater Marsh, Riparian Forest, and Riverwash/Seasonal Drainage and Vernal Pool habitats were identified on site. Of these habitat types, only the Open Water/Pond and Freshwater Marsh areas contain wetlands. These habitats are the result of the artificially created stock ponds, three (3) of which occur on the site. The development plans have been designed to avoid development and development impacts around these ponds. Furthermore, the ponds are proposed to be enhanced with native vegetation that will enhance the habitat value of the ponds. To reduce impacts to the ponds and waterways, directly or indirectly, the following measures shall be observed by project development.

Open Water/Pond, Freshwater Marsh, Riparian Forest, and Riverwash/Seasonal Drainage

B-24: Implement erosion control measures during construction and limit construction activities to dry weather to avoid impacts to wetland habitats related to increased runoff and sedimentation from development areas.

B-25: During construction, avoid all cleaning and refueling of equipment and vehicles within the vicinities of existing drainages and associated wetland habitat, as well as in the vicinities of the ponds.

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

B-26: Following completion of construction-related activities, immediately revegetate all disturbed and barren areas with appropriate native vegetation to reduce the risk of erosion and sedimentation in adjacent drainages.

The Biological Resource Assessment that was conducted did not discover any special status species in and around these wetland areas, but identifies the development sensitivities in building near these features and the need to obtain appropriate permits as required by Trustee and Responsible Agencies. The early identification of these sensitive areas and the ability in the future to adequately review and mitigate impacts on a project-specific level would reduce this to a less than significant impact.

B-27: In development areas, a qualified biologist shall conduct a wetland delineation to determine precise boundaries and total area of affected wetland. Development shall be limited to areas located a minimum of 50 to 10 feet from the upland extent of the wetland boundary. The distance of the wetland setback shall take into account the existing functions and values associated with the identified wetland, and the level of intensity of the proposed adjacent development.

Vernal Pools

Caltrans biologist Mitch Dallas conducted a site survey in March 2001 where he found Vernal Pool Fairy Shrimp existing in a seasonal vernal pool located near the southwest corner of the Black Ranch. This species is listed as federally endangered by the United States Fish and Wildlife Service, though it has no special status in California. The maximum extent of the Vernal Pool Watershed is identified in Attachment 7. The following mitigation measures shall be incorporated into the project.

B-28: Prior to construction, the applicant shall map, via topographic survey at one foot contours, the entirety of the watershed of Pool #1 and Pool #2. The noted watershed boundary shall be clearly flagged in the field so that the watershed margin is plainly visible.

B-29: The applicant shall reconfigure the proposed golf course to avoid the mapped VPFS watershed required to be delineated. If complete avoidance is not possible or is infeasible, development within the mapped watershed area shall be minimized to the extent practicable. Residual impacts to the mapped watershed (those remaining after minimization) shall be mitigated in coordination with the USFWS.

B-30: During site development, heavy equipment shall not be allowed to operate within the noted and flagged watershed. Equipment refueling and/or washing shall not be allowed within 50 feet of the flagged boundary.

B-31: Herbicide and/or pesticide use shall not be allowed within the delineated watershed boundary.

B-32: Prior to final project design, and over the next two years after construction, the applicant shall retain a qualified, permitted VPFS biologist to conduct surveys for this species and other sensitive crustaceans within vernal pool habitats of the Black Ranch property. The final project design shall be modified accordingly following the noted surveys and dependent upon their results.

- e) Wildlife dispersal or migration corridors?

Discussion: The Dry Creek streambed serves as a resource for wildlife movement and provides connections to larger movement corridors such as the Huerhuero River. As described in VII(a) above, the preservation of 114 acres of habitat for Kit Fox will serve to mitigate wildlife dispersal and migration corridors.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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VIII. ENERGY AND MINERAL RESOURCES. Would the proposal:

- a) Conflict with adopted energy conservation plans?

Discussion: The rezone and annexation proposals would not conflict with adopted energy conservation policies for the City of Paso Robles.

- b) Use non-renewable resource in a wasteful and inefficient manner?

Discussion: The development of the site would result in increased use of fuel and energy. However, the anticipated energy demands created by the project would be in pace with the overall projected demand that is planning on being met by providers such as Southern California Gas and Pacific Gas and Electric. The impact would be considered less than significant.

- 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?

Discussion: Figure LU-5 (Mineral Resources of Regional Significance) within the City of Paso Robles General Plan does not include this project area within its boundaries and no County resource overlays exist. No adverse impact from this proposal is anticipated.

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)?

Discussion: The project would need to be reviewed for its specific need for storing materials in compliance with local, state, and federal regulations. It is anticipated that whatever is required to store chemicals properly would be abided by and that the risk of accidental explosion would not be a significant impact.

- b) Possible interference with an emergency response plan or emergency evacuation plan?

Discussion: The Fire Marshal has reviewed the project, and with the proposed access points there does not appear to be a significant impact in regard to emergency response.

- c) The creation of any health hazard or potential hazards?

Discussion: No exposure of persons to health hazards is anticipated in conjunction with the development plan and conditional use permit applications.

- d) Increased fire hazard in areas with flammable brush,

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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grass, or trees?

Discussion: Any new site development would need to comply with local and state fire code requirements, including fire sprinklers, on-site fire hydrants, and demonstration of adequate water pressure for appropriate fire flows. These are standard mitigation measures that will be applied as conditions of approval to this project. The potential development of a modern building, improved circulation and access to the site, and irrigated golf course could be considered a positive project impact. No adverse impacts are anticipated.

X. NOISE. Would the proposal result in:

- a) Increases in existing noise levels?

Discussion: The construction of the site is anticipated to generate short-term noise impacts. However, since these are of a short-term nature and there are limited sensitive receptors in the area, noise impacts are determined to be less than significant.

- b) Exposure of people to severe noise levels?

Discussion: The Black Ranch project area is located below and between the two airport runways. The main climb-out zone is to the southwest from runway nine, across Airport Road and Highway 46 East. The City's Noise Element contains Ldn noise contour lines, which generally follow the climb-out pattern, but do not intersect with the Black Ranch project area. Existing dwelling units within the development area would not experience any change in their exposure to the most prominent adjacent noise sources (the City's Airport and Highway 46 East). New development on this site in the future could expose people to these existing noise sources. However, the location of the Black Ranch area in relation to airport noise contours, and the ability to mitigate noise through construction techniques, would indicate that noise exposure would not be an anticipated impact.

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?

Discussion: The City currently responds from Station #3, which is located at the airport, and would also automatically dispatch a medical rescue unit from Station #1, which is located downtown. Station #3 is equipped with a structural pumper, crash fire truck, and a smaller crash and rescue vehicle. The development of the property would not have an impact on the City's ability to provide fire services to this area since the City is already doing so. In addition, any new development would be required (in accordance with the City's standard conditions of approval) to comply with all current fire safety requirements including fire sprinkling and on-site fire hydrants. These noted fire safety enhancements, in addition to irrigated improvements, would be a potential beneficial impact of a future project.

- b) Police Protection?

Discussion: The City of Paso Robles currently responds to calls within the project area. City police officers will respond, contain the scene, assist in the incident, and prepare the documentation and follow up reporting.

While the increase in service, as a result of the development of the property, would generate an increased demand on police resources, the impact is anticipated to be less than significant. The uses conditionally permitted and envisioned for development within the POS project area (destination resort, vintners center, golf

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact
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course and health spa facilities) would typically be low in their police response needs, especially in comparison with other commercial activities. The remaining agricultural portions of the project area, based on their low residential density and rural character, would be similarly low in police response demand needs.

- c) Schools?

Discussion: The POS zoning of the site does not permit residential development and would not generate additional children that would have an impact on the school system. No planned school sites are in the project vicinity to be affected by the proposal, nor is there any anticipated increase in residential density. Therefore no impacts are anticipated.

- d) Maintenance of public facilities, including roads?

Discussion: The majority of adjacent roads to the project area are maintained by either the City of Paso Robles or the State of California (Caltrans). The majority of Dry Creek Road and all of Airport Road adjacent to the development area are maintained by the City. Highway 46 is a State Highway and is maintained by Caltrans. If the project area were developed, there would be no change in maintenance patterns to these roads.

- e) Other governmental services? (Sources: 11, 13)

Discussion: Services such as fire and police, water and sewer, are discussed in other sections. The City of Paso Robles has a franchise agreement with Paso Robles Waste Disposal for solid waste services and they are already servicing this area. Other services currently provided through the County, such as animal control, would remain unchanged. No adverse impacts are anticipated.

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?

Discussion: Southern California Gas Company provides service to the Paso Robles area. There are existing underground gas service lines that serve properties at the City Airport and its vicinity. At such time that new construction within the project area were proposed, it would be necessary to coordinate construction trenching and site work with Southern California Gas to assure appropriate extension of services. The project is not anticipated to interfere with gas services or create an unmet demand.

- b) Communication systems?

Discussion: The Pacific Bell Company provides service to the Paso Robles and County areas. The project is not anticipated to interfere with phone/communication services.

- c) Local or regional water treatment or distribution facilities?

Discussion: Any future development would need to extend water distribution lines to connect to the City of Paso Robles' domestic water supply. The City has a number of existing wells in the vicinity of the project area

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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(Dry Creek Well and the Fox Well near Airport Road). The closest water line to the project is north of Dry Creek Road. The Applicant's plans propose a looped system that will connect the waterlines near Airport Road to Dry Creek Road. The City's Water Master Plan includes the Black Ranch project area within its ultimate build-out projections, and a preliminary concept for distribution lines to this area is included in Attachment 11 (See also the discussion in Section XII (g), below.). With the City's existing water resources, its active participation in the securing of future resources, and master planning in place for future distribution beyond current city boundaries, make potential impacts to water treatment and distribution a less than significant impact.

- d) Sewer or septic tanks?

Discussion: The City's Sewer Master Plan includes the Black Ranch project area within its build-out projections for the airport area. The Master Plan indicates that a 15-inch sewer main is proposed to collect flow from the east side of the Black Ranch area. The preliminary sewer distribution concept for the area would likely involve the construction of a lift station on Airport Road as well as a series of sewer mains along Airport Road and/or Dry Creek Road. The projected wastewater demand from this project is the same as the water projections of 46,980 gallons per day based on the conceptual site programming for the proposed POS area. The Applicant's plans anticipate extending the lines to tie into the public sewer. The amount of wastewater (sewer) demand associated with the project appears to be adequately accommodated within the City's Sewer Master Plans and potential impacts from increased demand would be considered less than significant.

- e) Storm water drainage?

Discussion: The size of the property and the relatively low site coverage proposed for the development would result in less than significant impact to the storm water system. See additional discussion and mitigation measures in Section IV.

- f) Solid waste disposal?

Discussion: Paso Robles Waste Disposal, a private company, provides solid waste service to the Paso Robles incorporated and unincorporated areas. The City of Paso Robles maintains its own landfill, which consists of 80 acres on Highway 46 East, east of the project area. The City's landfill opened in 1970 and in 1990 was filled to less than half of its capacity. Long-term plans for the landfill include cell expansion to meet projected future General Plan build-out needs. This project area is within the City's Planning Impact Area that was included in the master planning for anticipated future service and capacity needs at the landfill.

Additionally, solid waste service by Paso Robles Waste Disposal and deposits to the landfill are already generated by this area. Impacts from this project are considered less than significant.

- g) Local or regional water supplies?

Discussion: Any future commercial development would need to extend municipal water services in order to provide an appropriate domestic water source. The City of Paso Robles' Water Master Plan includes the Black Ranch area as part of an ultimate build-out scenario. Preliminary infrastructure design within that Master Plan indicate a looped water main from Dry Creek to Airport Road. The golf course is proposed to be irrigated via on-site wells.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant	No Impact Impact
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Water service needs were projected for the project based on the site programming of the resort, golf course, restaurant, spa and vintner's facility. Daily water demand needs were projected to be a total of 46,980 gallons per day (assuming the golf course would be irrigated via existing on-site wells). Based on the City's Water Master Plan and its accommodation of future service to this area, water service impacts are considered to be less than significant. See additional discussion and mitigation measures in Section IV.

XIII. AESTHETICS. Would the proposal:

- a) Affect a scenic vista or scenic highway?

Discussion: The project area is directly adjacent to Highway 46 East, a heavily traveled east/west corridor and major entrance to the City of Paso Robles. The appearance of the development from Highway 46 would warrant careful consideration, as this is a visually sensitive corridor. The nature of the uses conceptually proposed would provide good potential for enhanced architecture and the extensive use of landscaping and other visually pleasing project features. The future development review process within the City of Paso Robles would provide an appropriate opportunity for detailed review of visual impacts of new development. In order to develop the resort area, approximately 45,000 cubic yards of earth will be moved. The golf course area is anticipated to include an additional 300,000 cubic yards of earth. With the following mitigation measures, impacts to the scenic corridor would be considered mitigated to a level of less than significant.

AE-1: Grading shall be designed to balance on-site. All slopes visible from the highway shall be contoured and graded to appear natural. All slope and graded areas shall be re-planted with native species, grasses, or other landscaping, as indicated on the proposed landscape plan.

- b) Have a demonstrable negative aesthetic effect?

Discussion: Based on the discussion in Section XIII(a), potential aesthetic impacts associated with this project and potential future development would be considered less than significant.

- c) Create light or glare?

Discussion: Standard conditions of approval for the development including any golf course/driving range lighting will required that any exterior light shall be fully shielded, with no exposed lens. Cut-sheets of the light fixtures will be required to be reviewed by City Staff prior to installation.

XIV. CULTURAL RESOURCES. Would the proposal:

- a) Disturb paleontological resources?

Discussion: The geologic history of the Paso Robles area would not indicate that there is the potential for paleontological resources to exist or be impacted by the project.

- b) Disturb archaeological resources?

Discussion: The Paso Robles area has been classified as territory occupied by the Migueleno Salinan and

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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the Obispeno Chumash Native California populations. Past community populations have been evidenced at several sites within the Paso Robles area and unincorporated portions of the surrounding County. Archaeological records for the Paso Robles area and recent cultural resource surveys conducted for properties in close proximity to this project area (Huerhuero Golf Course by Clay Singer –1996, and the Munde Property by Thor Conway – 1997) did not result in the finding of heritage resources.

An Archaeological Surface Survey has been performed for the Black Ranch site by Thor Conway. The survey was completed on August 24, 2001. The survey concluded as follows:

"The Black Ranch property can be characterized as having low potential for archeological resources based upon the results of the surface survey. It is recommended that further archaeological studies not be required during development of the property".

- c) Affect historical resources?

Discussion: The Black Ranch study area does not have historic era structures or roads until 1940's as stated in the study by Thor Conway. Also noted in the study is that the *"this cartographic information suggests that there is a low potential for historic era cultural resources older than sixty years old within the study area"*.

- d) Have the potential to cause a physical change, which would affect unique ethnic cultural values?

Discussion: Based on the discussion contained in Section XIV(b&c) above, the potential to impact unique cultural values would be considered less than significant.

- e) Restrict existing religious or sacred uses within the potential impact area?

Discussion: Based on the discussion contained in Section XIII(b&c) and the ability to further review potential impacts to cultural resources in conjunction with a specific development proposal, impacts from this rezone and annexation proposal would be considered less than significant.

XV. RECREATION. Would the proposal:

- a) Increase the demand for neighborhood or regional parks or other recreational facilities?

Discussion: The proposed project does not have the potential to increase residential density within the project area. Typically, increased residential density would be the factor associated with an increased demand/need for recreational facilities. This would provide private recreational facilities that can help in off-setting recreational demands within the surrounding communities. Impacts to recreational needs as a result of this proposal are considered less than significant.

- b) Affect existing recreational opportunities?

Discussion: The closest public recreational area to this project site is Barney Schwartz Regional Park located on the Union Road, south of Highway 46. There is private recreation (the Hunter Ranch Golf Course) located directly across Highway 46 to the south. This project would not have the ability to impact those recreational sources.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project is located in an area where there are identified sensitive and valuable plant and wildlife habitats (See discussion contained in Section VII – Biology). Similarly, there could be potential for cultural resources to exist within the project area. With the inclusion of project specific mitigation measures, implementation of the conditions of approval, and implementation of the mitigation monitoring plan the potential impacts will be mitigated to a less than significant level.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project is consistent with the future service and development expectations associated with the area being within the City of Paso Robles' Sphere of Influence. The development of the project appears to be consistent with the City's General Plan policies.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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.) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

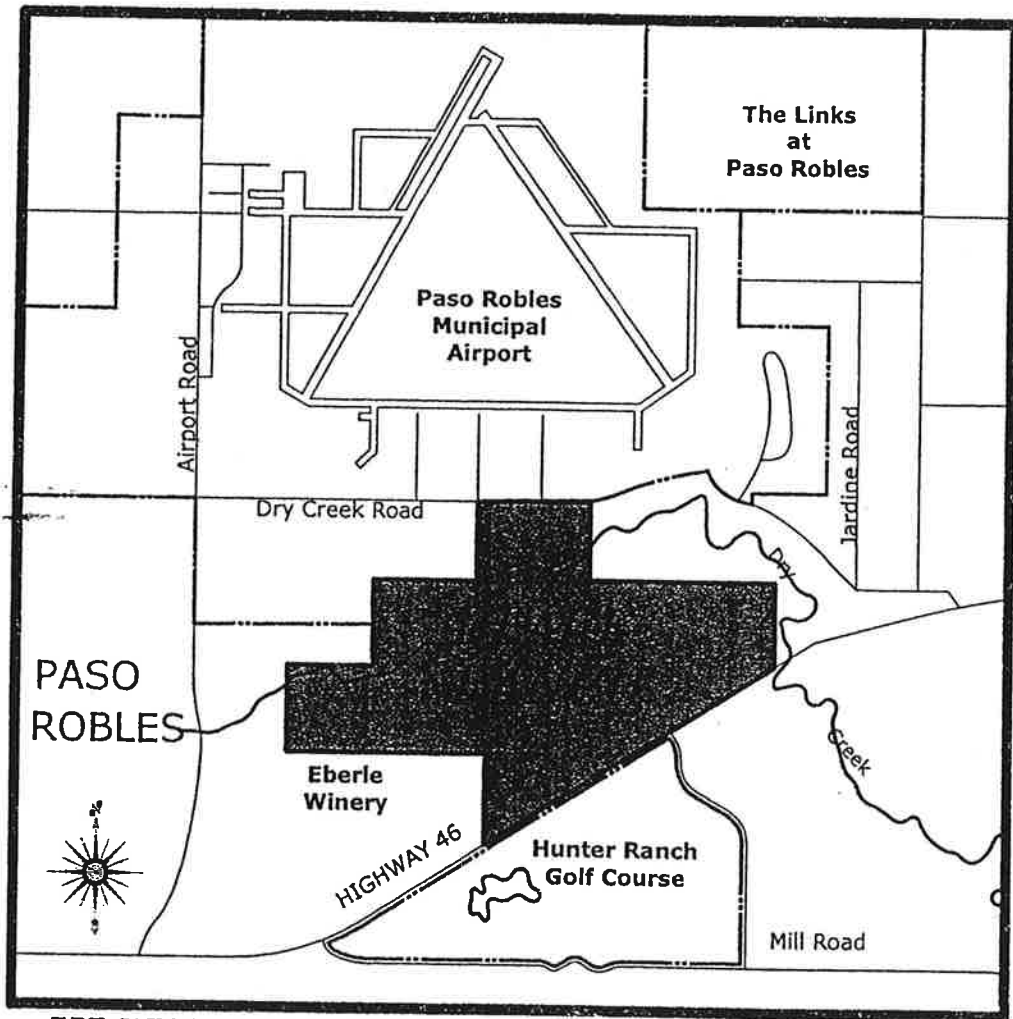
Discussion: The City's General Plan included this area in its framework for future planning (the Planning Impact Area). Additionally, this area has been included within the City's Sewer and Water Master Plans both for capacity and infrastructure design. Traffic analysis has been conducted for the potential build-out of a destination resort, golf course, and vintners facility on both a short- and long-term cumulative impact basis. These studies and documents appropriately document long-range cumulative possibilities associated with this proposal, demonstrating impacts to be less than significant.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: With the incorporation of mitigation measures identified in this document, the project is anticipated to have a less than significant effect on human beings.

1400059/Environmental/Initial Study/Initial Study-JK



VICINITY MAP

Not to Scale

Black Ranch Application—Project Narrative

September 14, 2001

Revised January 23, 2002

Site/Vicinity

The Black Ranch site encompasses 386 acres in eastern Paso Robles, and is generally bounded by Highway 46 to the east and south, Airport Road to the west, and Dry Creek Road and Paso Robles Airport to the north. Hunter Ranch Golf Course lies to the south, across Highway 46.

Project Description

This application seeks overall approval for a resort master plan at Black Ranch, consisting of a Planned Development and Conditional Use Permit. In addition, we request approval of environmental studies executed for this project.

The applicant proposes to phase development of a resort on the site. The resort area will include a 200-room hotel, restaurant, café, pool, spa, tennis courts, conference facilities, wine information center, an outdoor events area, 80 casitas, an eighteen-hole Championship Golf Course, nine-hole Executive Course, golf clubhouse, pro-shop/snack bar, putting and chipping greens, driving range and parking.

Phasing Schedule			
	Phases		
Resort	1	2	Total
Hotel Rooms	120 Rooms	80 Rooms	200 Rooms
Casitas	40 Casitas	40 Casitas	80 Casitas (40 Duplexes)
Restaurant--Fine Dining	6,000 s.f.	-	6,000 s.f. (approx. 100 seats)
Restaurant--Café	1,500 s.f.	-	1,500 s.f.
Outdoor Seating	25 Tables	-	25 Tables
Conference Facilities	8,286 s.f.	6,000 s.f.	14,286 s.f.
Wine Information Center	1,500 s.f.	-	1,500 s.f.
Health Spa	1,500 s.f.	1,000 s.f.	2,500 s.f.
Outdoor Uses	4 Tennis Courts, Pool, Hot Tub, Gardens		4 Tennis Courts, Pool, Hot Tub, Gardens
Outdoor Events Area	South Area	North Area	2 Areas
Bus/Overflow Parking	120 Spaces	-	120 Spaces
Golf/Clubhouse Parking	161 Spaces	-	161 Spaces
Resort Parking	200 Spaces	84 Spaces	284 Spaces
Casita Parking	40 Spaces (1/Unit)	40 Spaces (1/Unit)	80 Spaces
Golf Course			
Championship Course	18 Holes	-	18 Holes

Executive Course	-	9 Holes	9 Holes
Irrigated Course	75 acres	27 acres	102 acres
Public v. Private	Public	Public	Public
Snack Bar/Pro Shop/Restroom]	1,500 s.f.	-	1,500 s.f.
Golf Cart Storage	6,000 s.f.	-	6,000 s.f.
Golf Cart Path	30,000 l.f.	10,000 l.f.	40,000 l.f.
Maintenance Area	6,000 s.f. + 1 acre yard	-	6,000 s.f. + 1 acre yard
Satellite Restroom	1 - 250 s.f.	-	1 - 250 s.f.
Driving Range	289,061 s.f.	-	289,061 s.f.
Putting Green	76,699 s.f.	-	76,699 s.f.
Chipping Green	21,303 s.f.		21,303 s.f.
Night Lighting	No		No
Irrigation Source	Well		Well

Utility Plans

Sewer Sewer will be provided via onsite sewage treatment facility (a.k.a. package plant). Alternatives being explored include on-site septic disposal and, at some future date, connection to a gravity sewage system. Estimated sewer volume is 35,000 gal/day.

Water A water line will be looped through the site from the existing line north of Dry Creek Road through the site to the existing line located on Airport Road. Estimated water volume is 35,000 gal/day.

Storm Drainage Storm water will discharge into the existing Dry Creek drain system. Please see the Preliminary Hydrology Study separately submitted.

Traffic/Circulation Primary access will be provided from the front of the site, off of Highway 46, directly across from the entrance to Hunter Ranch resort. Secondary emergency access is located adjacent to Eberle Winery. A second emergency access and maintenance road is provided to Dry Creek Road. Please refer to the separate submitted traffic study.

Environmental Studies

Archaeology An Archaeology Surface Study at Black Ranch produced negative results for archaeological resources. No further archaeological studies were recommended.






Kit Fox Habitat Mitigation for impacts to Kit Fox habitat will be provided in accordance with the California Department of Fish and Game (DFG) requirements. The applicant is currently meeting with DFG to determine appropriate mitigation measures.

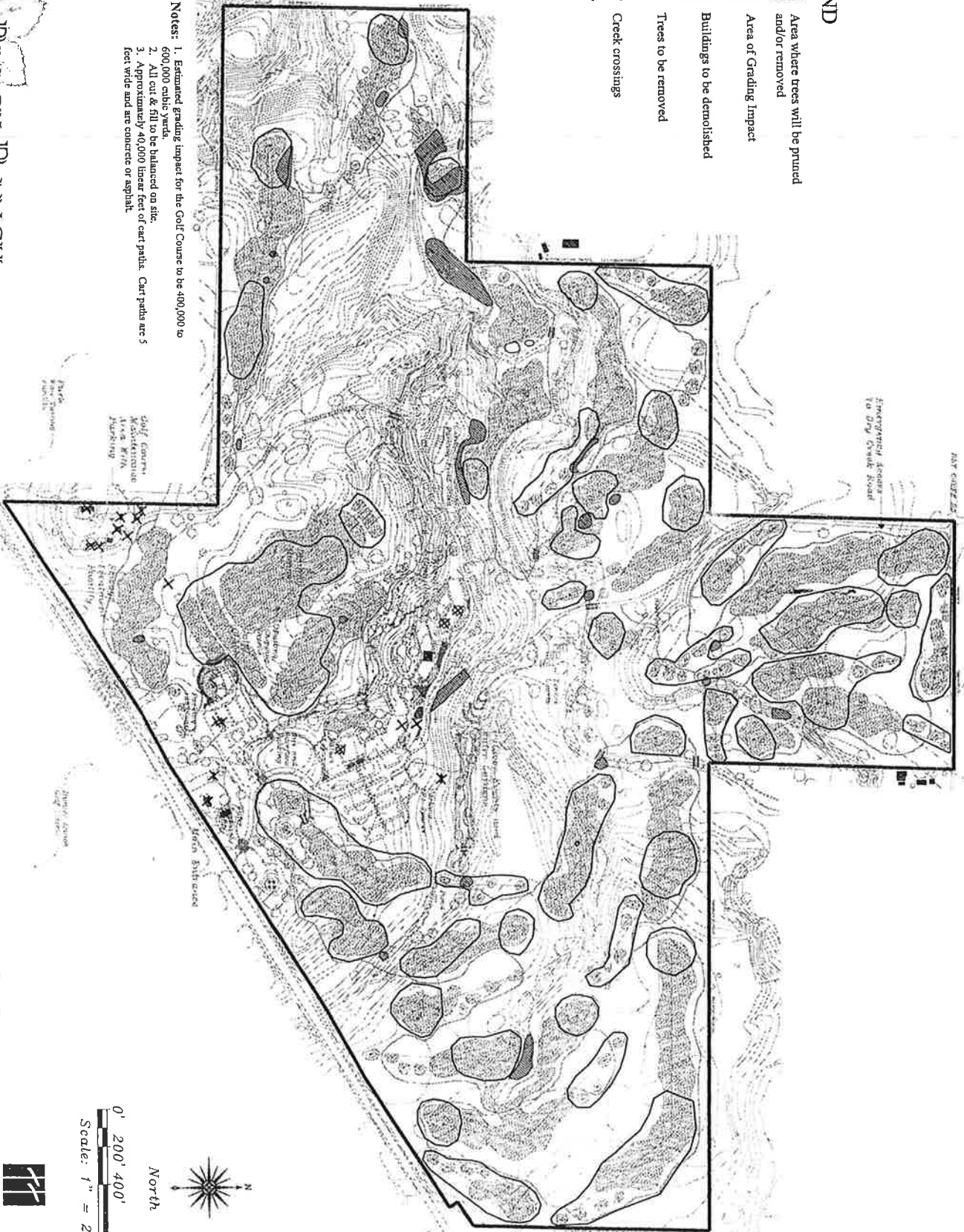
Biological Resources A Biological Resources Assessment was performed for the Black Ranch property in 1998. After the environmental consultant resurveyed the site, it was determined that no significant change has occurred to warrant additional study.

Please refer to the June 1998 Biological Resources Assessment and the September 12, 2001 letter affirming its continued relevancy.

Oak Tree Impacts Oak trees were surveyed in the resort area and three existing oak trees will need to be removed. An undetermined number may also need to be removed as a result of the golf course. Refer to attached Oak Tree Removal Plan.

LEGEND

-  Area where trees will be pruned and/or removed
-  Area of Grading Impact
-  Buildings to be demolished
-  Trees to be removed
-  Creek crossings

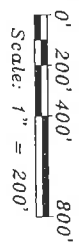


Notes:

1. Estimated grading impact for the Golf Course to be 400,000 to 600,000 cubic yards.
2. All cut & fill to be balanced on site.
3. Approximately 40,000 linear feet of cart paths. Cart paths are 5 feet wide and are concrete or asphalt.

BLACK RANCH

BLACK RANCH MASTER PLAN
 paso robles, california



RMD DESIGN GROUP



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 September 14, 2001
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schematic impact and tree removal plan



BLACK RANCH

BLACK RANCH MASTER PLAN

pas o robes, california

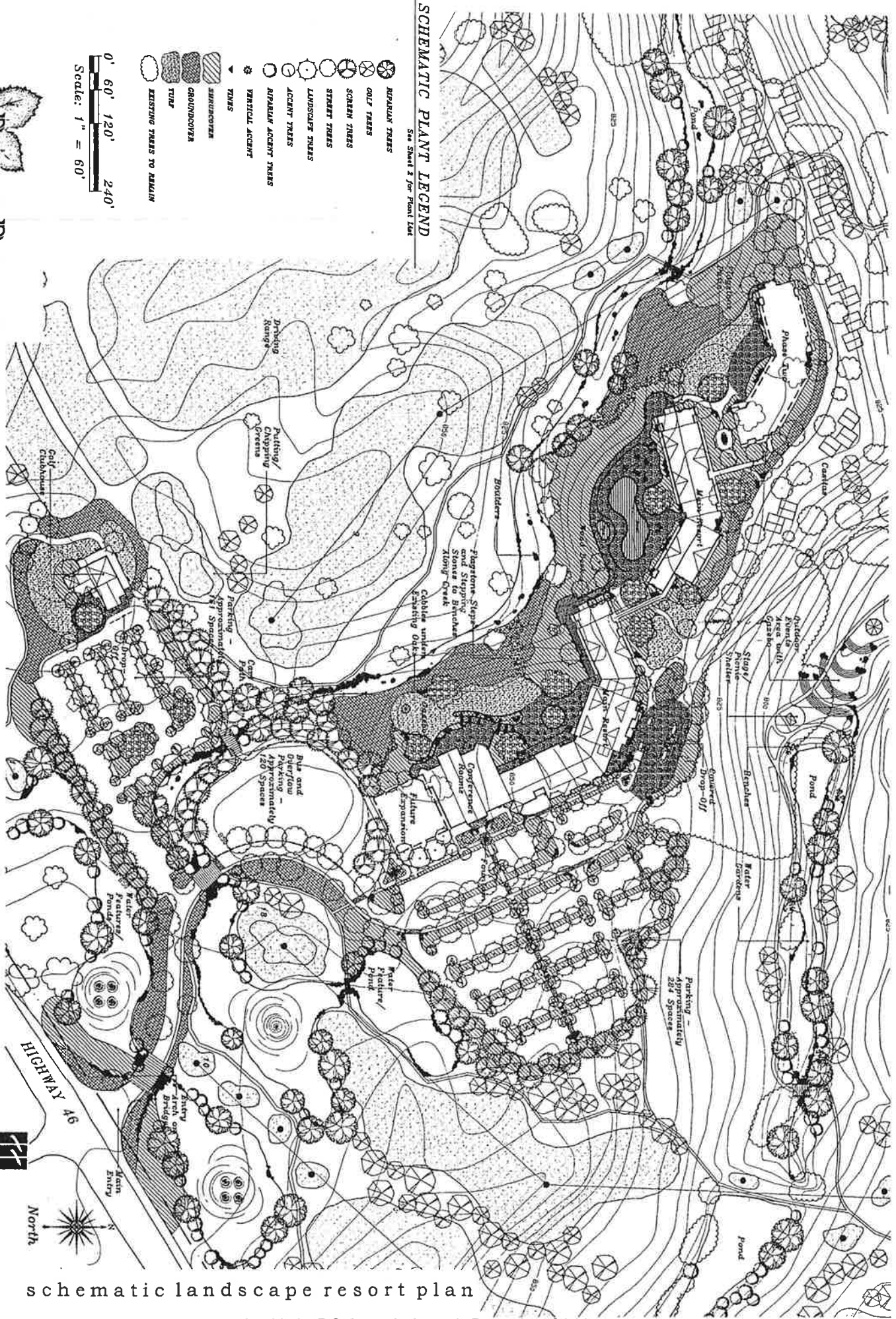
RRM DESIGN GROUP



North

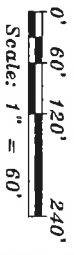
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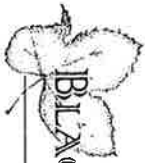
schematic landscape resort plan



SCHEMATIC PLANT LEGEND

- REGULAR TREES
- COLD TREES
- SCREEN TREES
- STREET TREES
- LANDSCAPE TREES
- ACCENT TREES
- REGULAR ACCENT TREES
- VISUAL ACCENT
- ▲ TREES
- ▨ SANDWOODS
- ▨ CROCODONIA
- ▨ TUNA
- EXISTING TREES TO MAINTAIN





BLACK RANCH

BLACK RANCH MASTER PLAN
paso robles, california

RMD DESIGN GROUP
Culinary Architecture Park City



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5 of 13
September 14, 2005

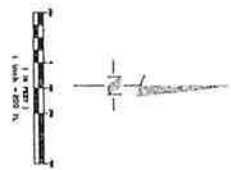
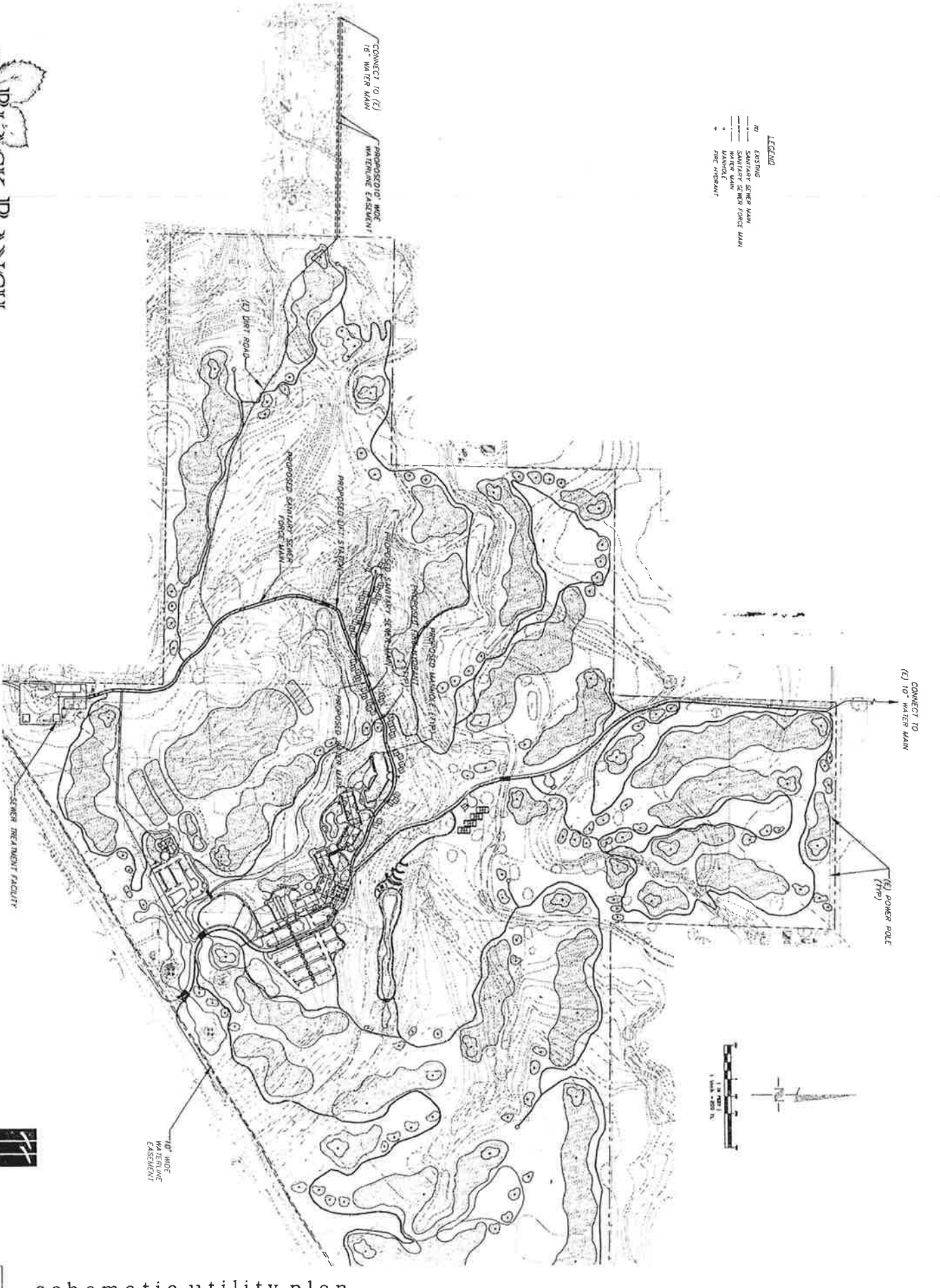
- LEGEND**
- BT FINISHED FLOOR
 - (C) EXISTING
 - FF FINISHED FLOOR
 - FS FINISHED SURFACE
 - HP HIGH POINT
 - IG TOP OF GRADE
 - TV TOP OF WALL
 - EXISTING MOIST CONTOUR
 - EXISTING INTERMEDIATE CONTOUR
 - MOIST CONTOUR
 - INTERMEDIATE CONTOUR
 - STORM DRAIN LINE
 - DRAINAGE WELLS
 - AC PAVEMENT



schematic grading and drainage plan

LEGEND

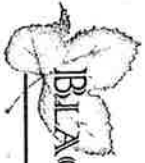
- EXISTING
- SANITARY SEWER MAIN
- SANITARY SEWER FORCE MAIN
- WATER MAIN
- GAS
- POWER



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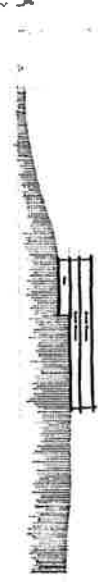
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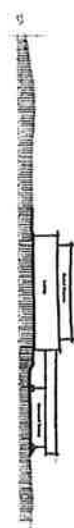


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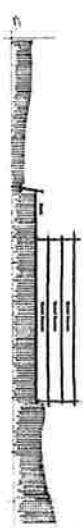
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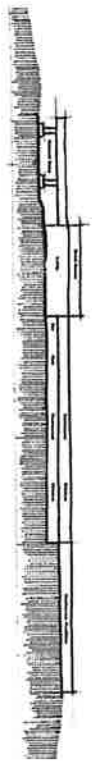
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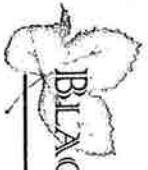
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site sections

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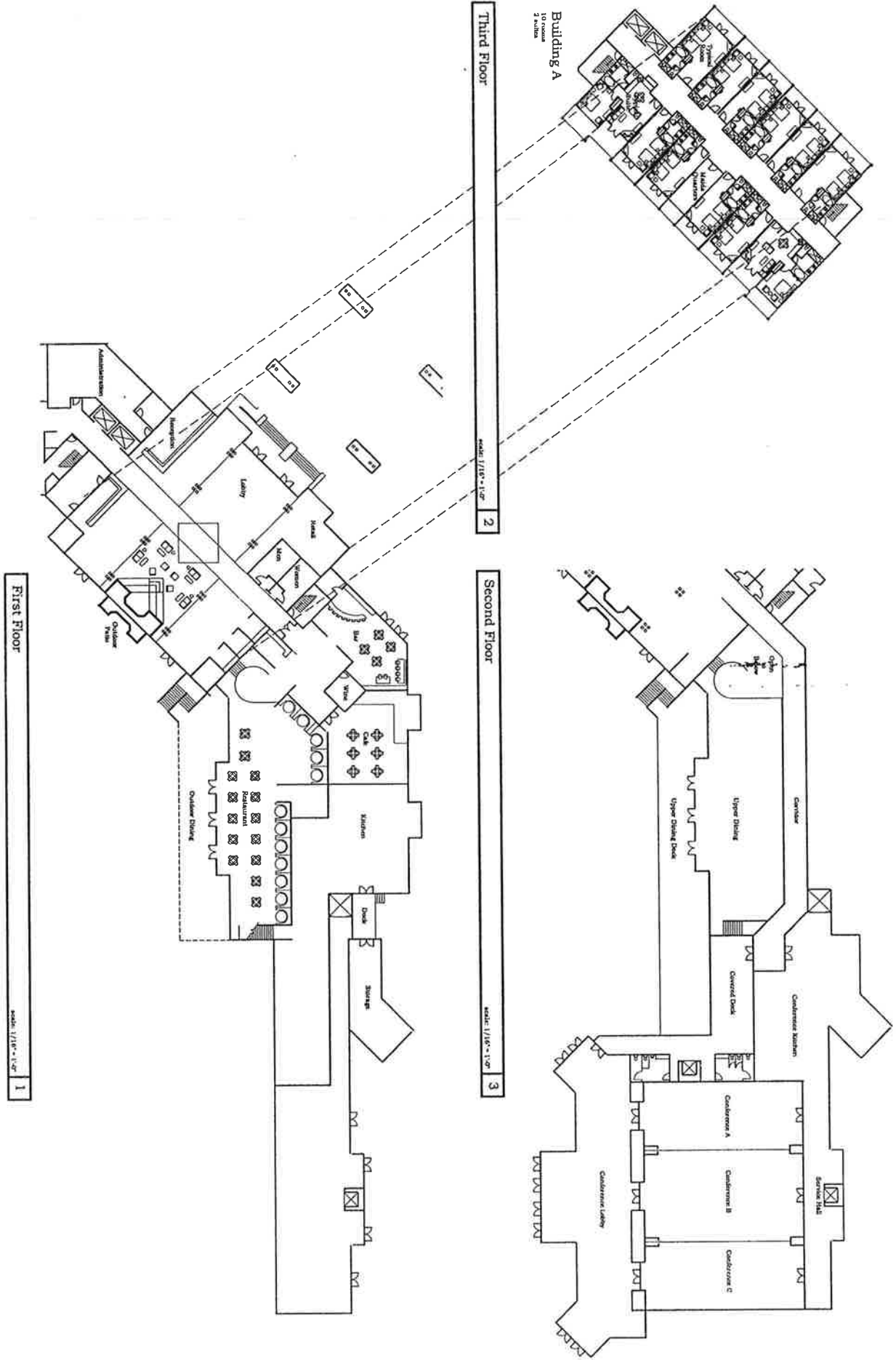
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lobby, hotel, restaurant / cafe





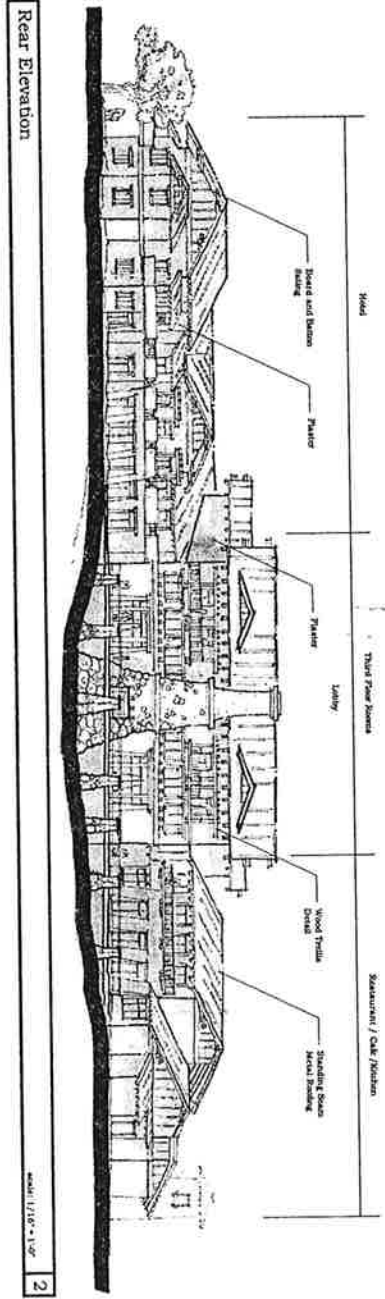
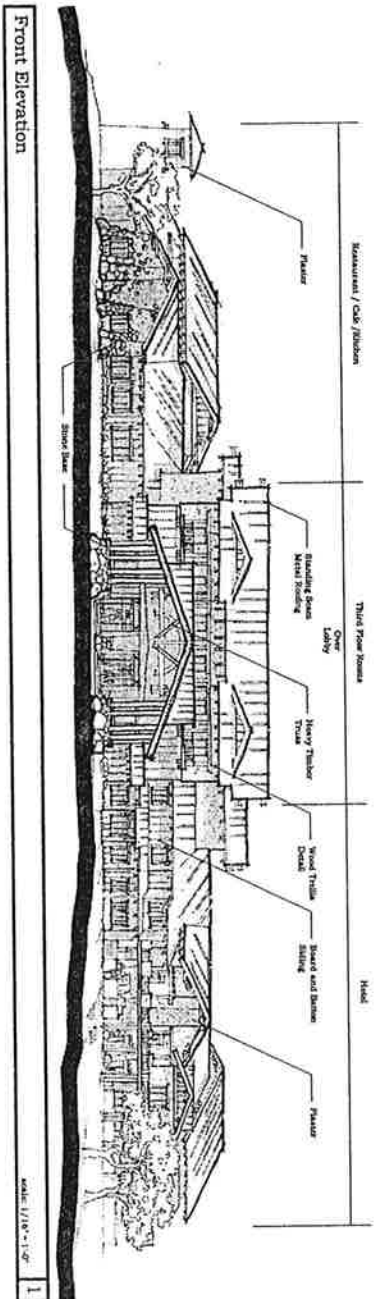
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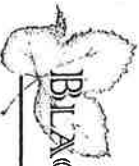
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lobby, hotel, restaurant / cafe



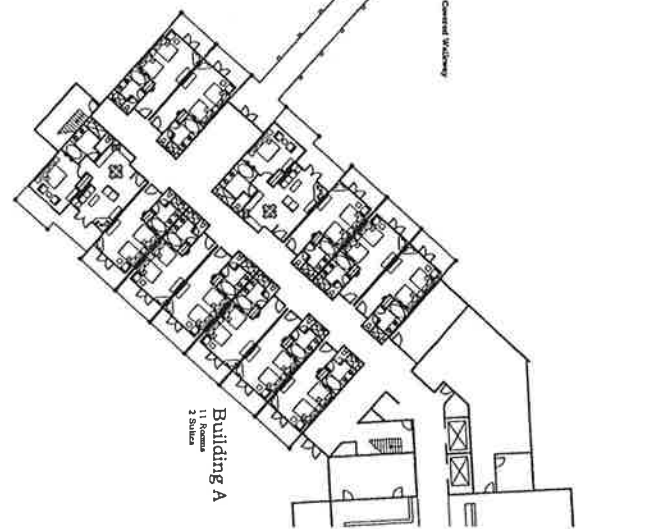
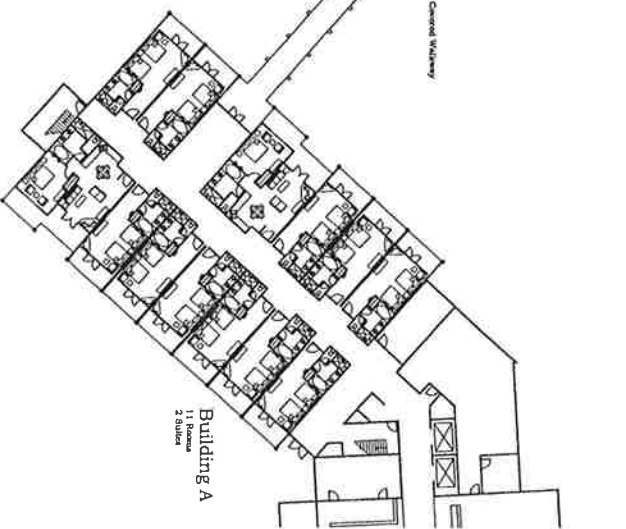
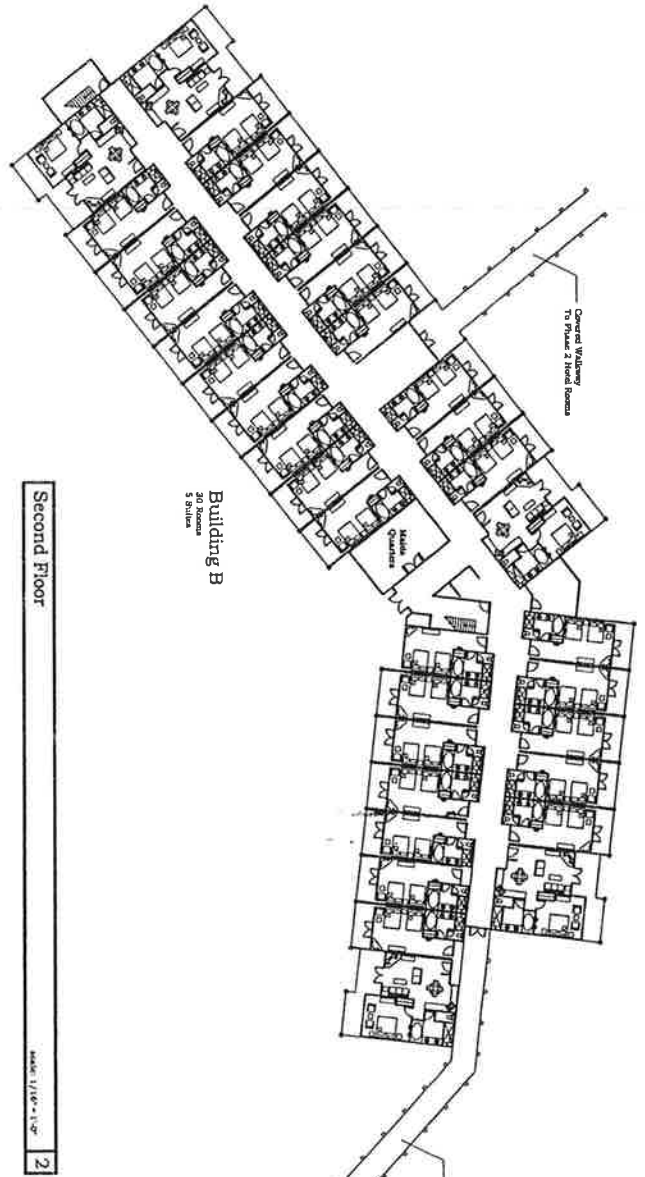
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hotel phase 1



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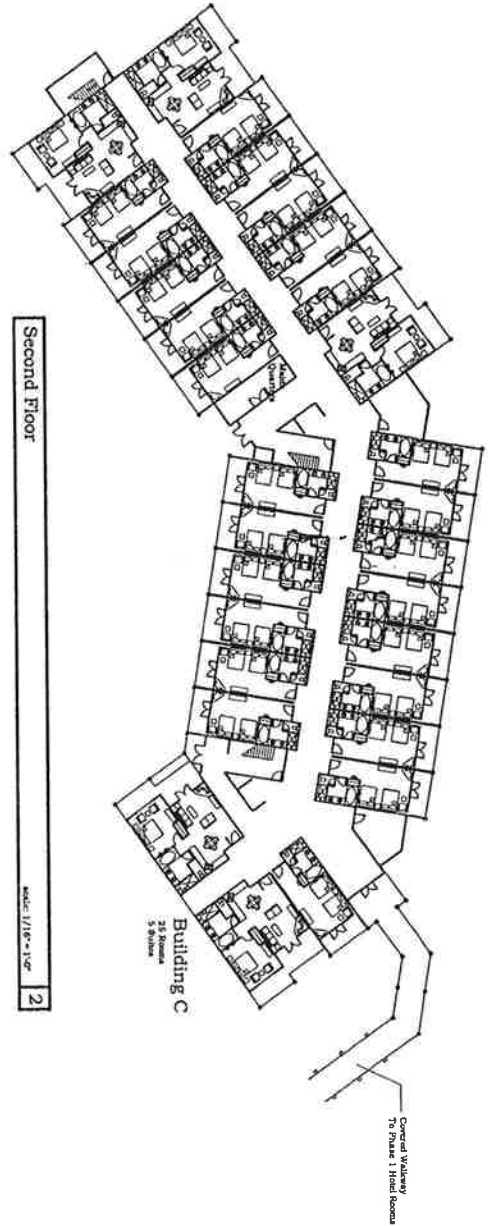
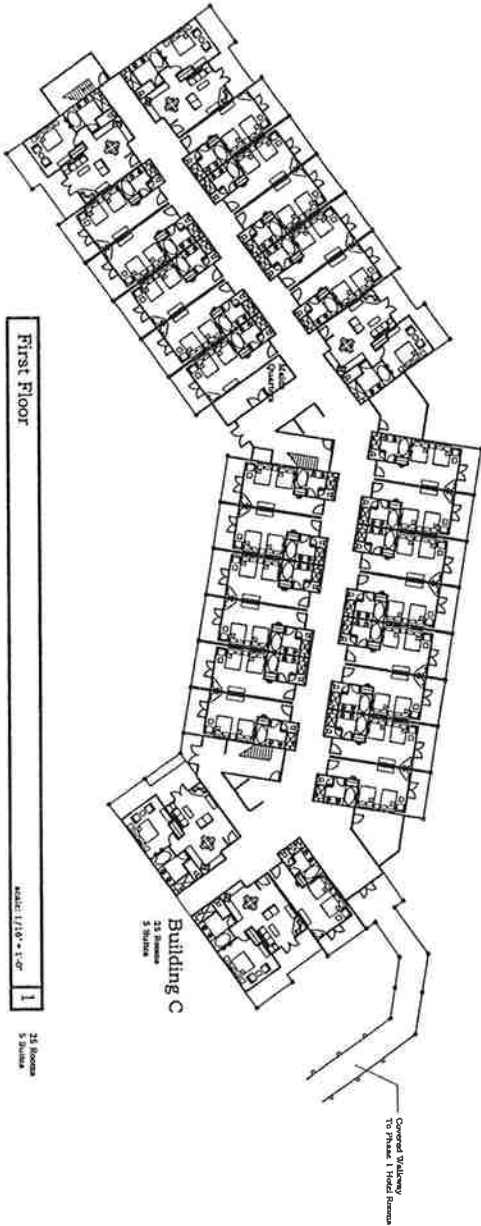
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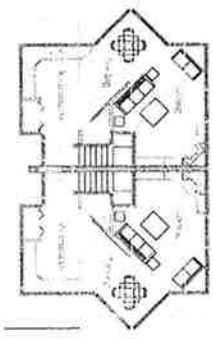
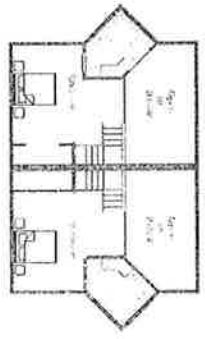
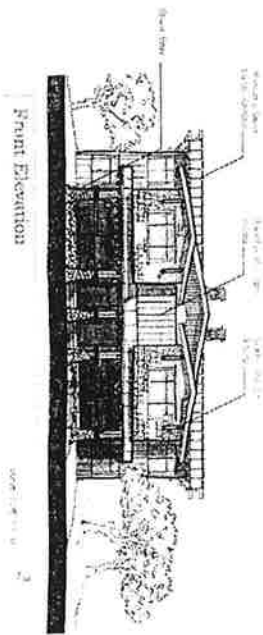
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hotel phase 2



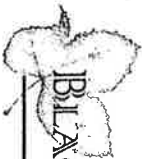


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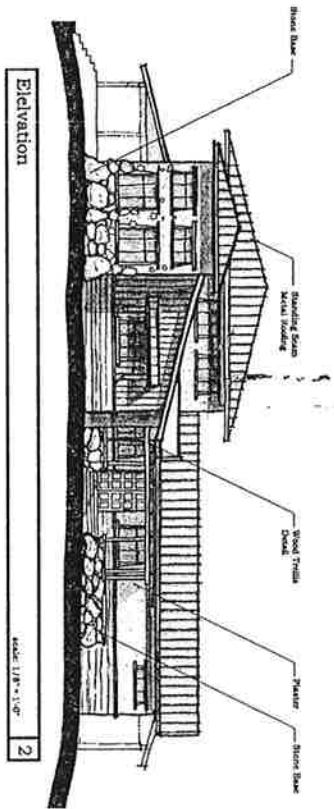
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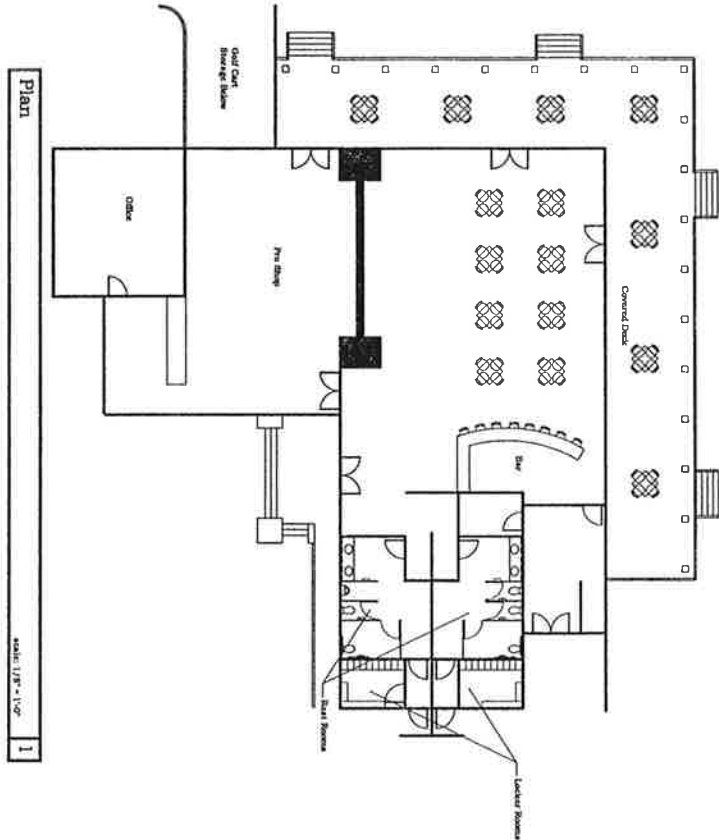
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Elevation 2

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



Plan 1

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

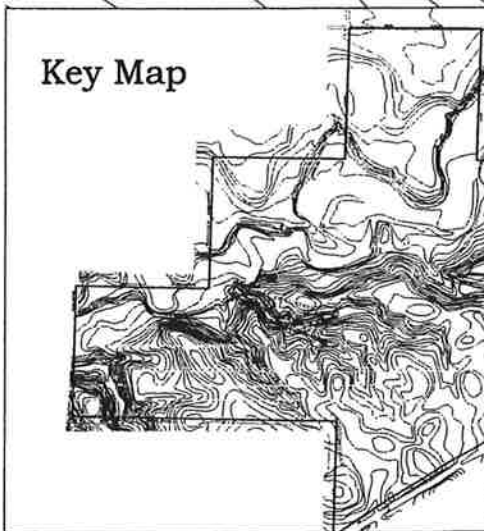
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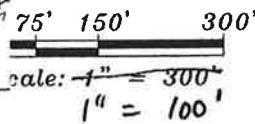


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North



vernal pool location plan



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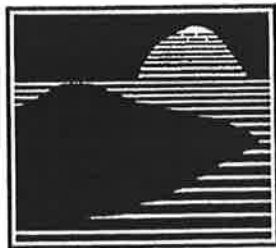
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Black Ranch Resort Project
Comprehensive Air Quality
Mitigation Plan



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I. INTRODUCTION/PURPOSE

This Comprehensive Air Quality Mitigation Plan (Plan) has been prepared to assist the County of San Luis Obispo Air Pollution Control District (APCD) in the review of emissions that would result from the proposed Black Ranch Resort project. Upon review of this document, the APCD will make the determination of whether or not implementation of this Plan would suffice as appropriate mitigation for project emissions.

II. PROJECT DESCRIPTION

A. PROJECT LOCATION

The Black Ranch Resort site encompasses 386 acres in eastern Paso Robles, and is generally bounded by Highway 46 to the east and south, Airport Road to the west, and Dry Creek Road and Paso Robles Airport to the north (refer to Figures 1 and 2).

B. PROJECT SUMMARY

The Black Ranch Resort is a proposed phased development. The resort area will include a 200-room hotel, 80 casitas, fine dining restaurant, café, pool, spa, tennis courts, conference facilities, wine information center, and outdoor events area, an eighteen-hole Championship Golf Course, nine hole Executive Golf Course, golf clubhouse, pro-shop-snack bar, putting and chipping greens, driving range and parking. Table 1 represents the proposed phasing schedule for the Black Ranch Resort.

III. EXISTING CONDITIONS

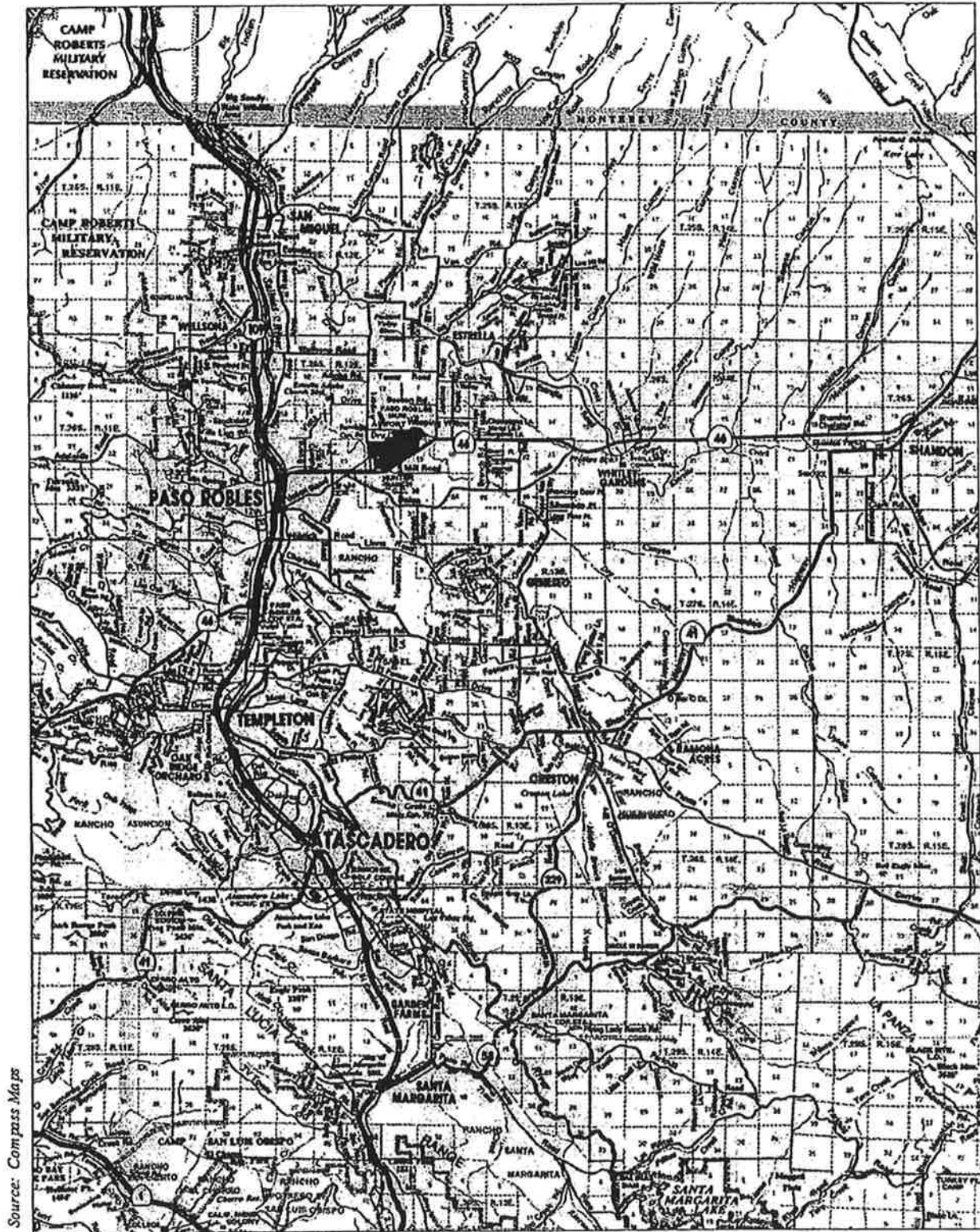
A. LOCAL AND REGIONAL METEOROLOGY

The climate of San Luis Obispo County can be generally characterized as Mediterranean, with warm, dry summers and cooler, relatively damp winters. Along the coast, mild temperatures are the rule throughout the year due to the moderating influence of the Pacific Ocean. This effect is diminished inland in proportion to distance from the ocean or by major intervening terrain features, such as the coastal mountain ranges. As a result, a considerably wider range of temperature conditions characterizes inland areas. Maximum summertime temperatures average about 70 degrees Fahrenheit near the coast, while inland valleys are often in the high 90's. Average minimum winter temperatures range from the low 30's along the coast to the low 20's inland.

Regional meteorology is largely dominated by a persistent high pressure area which commonly resides over the eastern Pacific Ocean. Seasonal variations in the strength and position of this pressure cell cause seasonal changes in the weather patterns of the area. The Pacific "high" remains generally fixed several hundred miles offshore from May through September, enhancing onshore winds and opposing offshore winds. During spring and early summer, as the onshore breezes pass over the cool water of the ocean, fog and low clouds often form in the marine air layer along the coast. Surface heating in the interior valleys dissipates the marine layer as it moves inland.

TABLE 1
Black Ranch Resort
Phasing Schedule

	Phase 1	Phase 2	Total
Resort:			
Hotel Rooms	120	80	200
Casitas	40	40	80 (40 Duplexes)
Restaurant (Fine Dining)	6,000 s.f.	-	6,000 s.f. (approx. 100 seats)
Restaurant (Café)	1,500 s.f.	-	1,500 s.f.
Outdoor Seating	25 Tables	-	25 Tables
Conference Facilities	8,286 s.f.	6,000 s.f.	14,286 s.f.
Wine Information Center	1,500 s.f.	-	1,500 s.f.
Health Spa	1,500 s.f.	1,000 s.f.	2,500 s.f.
Outdoor Uses	4 Tennis Courts, Pool, Hot Tubs, Gardens	-	4 Tennis Courts, Pool, Hot Tubs, Gardens
Outdoor Events Area	South Area	North Area	
Bus/Overflow Parking	120 Spaces	-	120 Spaces
Golf/Clubhouse Parking	161 Spaces	-	161 Spaces
Resort Parking	200 Spaces	84 Spaces	284 Spaces
Casita Parking	40 Spaces (1/Unit)	40 Spaces (1/Unit)	80 Spaces
Golf Course:			
Championship Course	18 Holes	-	18 Holes
Executive Course	-	9 Holes	9 Holes
Irrigated Course	75 acres	27 acres	102 Acres
Public v. Private	Public	Public	Public
Snack Bar/ Pro Shop/Restroom	1,500 s.f.	-	1,500 s.f.
Golf Cart Storage	6,000 s.f.	-	6,000 s.f.
Golf Cart Path	30,000 l.f.	10,000 l.f.	40,000 l.f.
Maintenance Area	6,000 s.f. + 1 acre yard	-	6,000 s.f. + 1 acre yard
Satellite Restroom	1 - 250 s.f.	-	1 - 250 s.f.
Driving Range	Yes	-	18 Holes
Putting Green	Yes	-	Yes
Chipping Green	Yes	-	Yes
Night Lighting	No	-	No
Irrigation Source	Well	-	Well

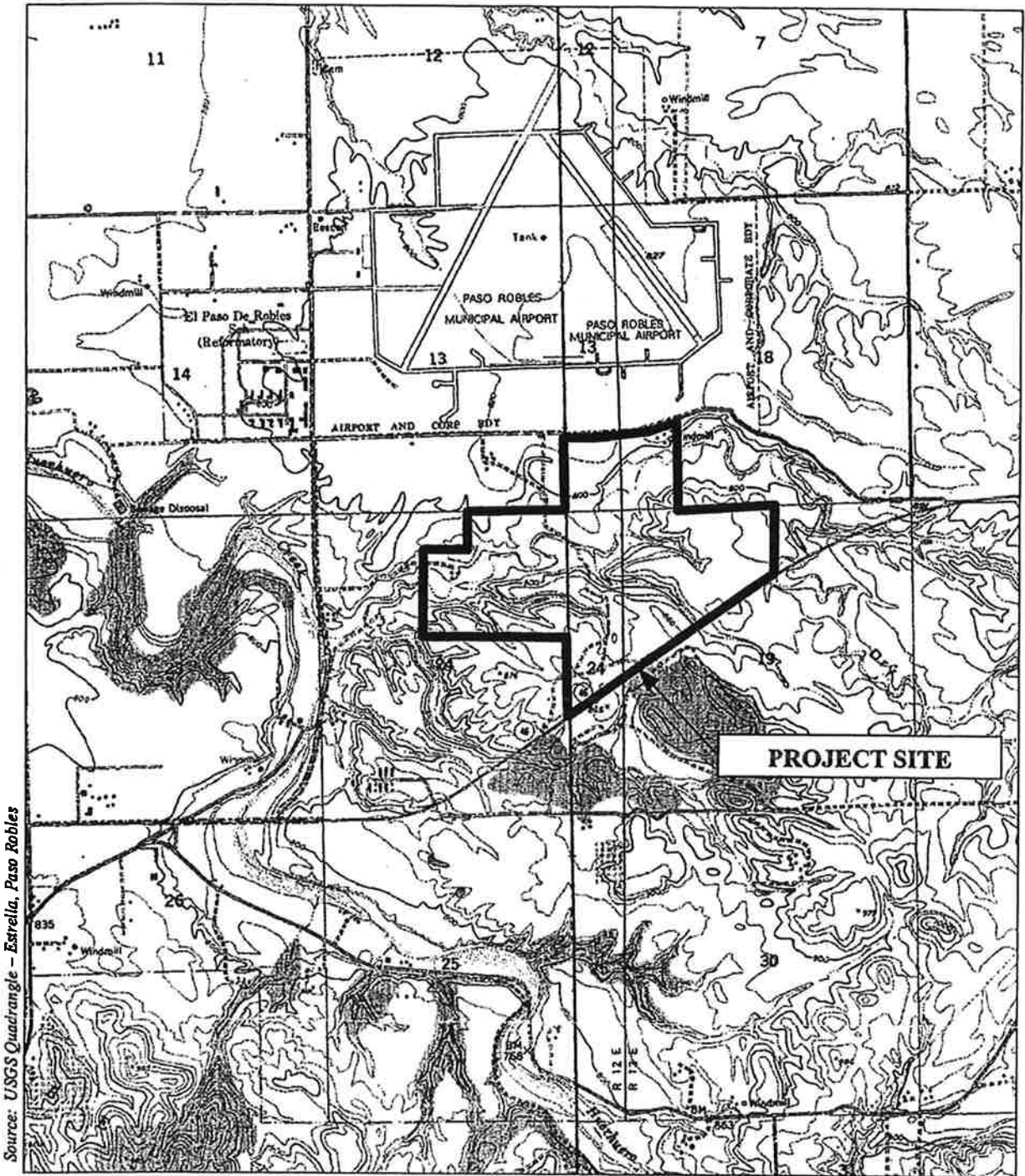


Source: Compass Maps



NORTH
Not to Scale

VICINITY MAP
FIGURE 1



Source: USGS Quadrangle - Estrella, Paso Robles



NORTH
Not to Scale

LOCATION MAP
FIGURE 2

From November through April the Pacific High tends to migrate southward, allowing northern storms to move across the County. About 90% of the total annual rainfall is received during this period. Winter conditions are usually mild, with intermittent periods of precipitation followed by mostly clear days. Rainfall amounts can vary considerably among different regions in the County. In the Coastal Plain, annual rainfall averages 16 to 28 inches, while the Upper Salinas River Valley generally receives about 12 to 20 inches of rain. The Carrizo Plain is the driest area of the County with less than 12 inches of rain in a typical year.

Airflow around the County plays an important role in the movement and dispersion of pollutants. The speed and direction of local winds are controlled by the location and strength of the Pacific High pressure system and other global patterns, by topographical factors, and by circulation patterns resulting from temperature differences between the land and sea. In spring and summer months, when the Pacific High attains its greatest strength, onshore winds from the northwest generally prevail during the day. At night, as the sea breeze dies, weak drainage winds flow down the coastal mountains and valleys to form a light, easterly land breeze.

In the fall, onshore surface winds decline and the marine layer grows shallow, allowing an occasional reversal to a weak offshore flow. This, along with the diurnal alteration of land-sea breeze circulation, can sometimes produce a "sloshing" effect. Under these conditions, pollutants may accumulate over the ocean for a period of one or more days and are subsequently carried back onshore with the return of the sea breeze. Strong inversions can form at this time, "trapping" pollutants near the surface.

This effect is intensified when the Pacific Highs weakens or moved inland to the east. This may produce a "Santa Ana" condition in which air, often pollutant-laden, is transported into the County from the east and southeast. This can occur over a period of several days until the high pressure system returns to its normal location, breaking the pattern. The breakup of this condition may result in relatively stagnant conditions and a buildup of pollutants offshore. The onset of the typical daytime seabreeze can bring these pollutants back onshore, where they combine with local emissions to cause high pollutant concentrations. Not all occurrences of the "post Santa Ana" condition lead to high ambient pollutant levels, but it does play an important role in the air pollution meteorology of the County.

B. ATMOSPHERIC STABILITY AND DISPERSION

Air pollutant concentrations are primarily determined by the amount of pollutant emissions in an area and the degree to which these pollutants are dispersed in the atmosphere. The stability of the atmosphere is one of the key factors affecting pollutant dispersion. Atmospheric stability regulates the amount of vertical and horizontal air exchange, or mixing, that can occur within a given air basin. Restricted mixing and low wind speeds are generally associated with a high degree of stability in the atmosphere. These conditions are characteristic of temperature inversions.

In the atmosphere, air temperatures normally decrease as altitude increases. At varying distances above the earth's surface, however, a reversal of this gradient can occur. This condition, termed an inversion, is simply a warm layer of air above a layer of cooler air and it has the effect of limiting the vertical dispersion on pollutants. The height of the inversion determines the size of

the mixing volume trapped below. Inversion strength or intensity is measured by the thickness of the layer and the difference in temperature between the base and the top of the inversion. The strength of the inversion determines how easily it can be broken by winds or solar heating.

Several types of inversions are common to this area. Weak, surface inversions are caused by radiational cooling of air in contact with the cold surface of the earth at night. In valleys and low lying areas, this condition is intensified by the addition of cold air flowing downslope from the hills and pooling on the valley floor. Surface inversions are a common occurrence throughout the County during the winter, particularly on cold mornings when the inversion is strongest. As the morning sun warms the earth and the air near the ground, the inversion lifts, gradually dissipating as the day progresses.

During the late spring and early summer months, cool air over the ocean can intrude under the relatively warmer air over land, causing a marine inversion. These inversions can restrict dispersion along the coast, but they are typically shallow and will dissipate with surface heating.

In contrast, in the summertime the presence of the Pacific high pressure cell can cause the air mass aloft to sink. As the air descends, compressional heating warms it to a temperature higher than the air below. This highly stable atmospheric condition, termed a subsidence inversion, is common to all of coastal California and can act as a nearly impenetrable lid to the vertical mixing of pollutants. The base of the inversion typically ranges from 1,000 to 2,500 feet above sea level. However, levels as low as 250 feet, amount the lowest anywhere in the state, have been recorded on the coastal plateau in San Luis Obispo County. The strength of these inversions makes them difficult to disrupt. Consequently, they can persist for one or more days, causing air stagnation and the buildup of pollutants. Highest or worst-case ozone levels are often associated with the presence of this type of inversion.

C. EXISTING AIR QUALITY

The air quality in a given location is described by the concentration of various pollutants in the atmosphere, expressed in units of parts per million (ppm), parts per hundred million (pphm), or micrograms of pollutant per cubic meter of air ($\mu\text{g}/\text{m}^3$). The significance of a given pollutant level can be evaluated by comparing its atmospheric concentration to state and national air quality standards, which are presented in Table 2. These standards represent allowable atmospheric contaminant levels at which the public health and welfare are protected, and include a margin of safety.

The primary factors affecting air quality in a given area are the quantity, type and location of pollutant emissions, the topographic and geographic features of the region, and the prevailing meteorological conditions. An emission rate represents the amount of pollutant released into the atmosphere by a given source over a specified time period; it is generally expressed in units such as pounds per hour (lb/hr) and tons per year (ton/yr). Local and regional meteorological conditions govern the transport and diffusion of emissions in the atmosphere. Wind speed, wind direction, atmospheric stability, temperature, and the presence or absence of inversions are some of the key parameters which affect pollutant dispersion.

Ambient air monitoring has been conducted at a variety of stations in the County. Table 3 presents the highest pollutant concentrations measured over the most recent 10-year period available for all of the monitoring stations in San Luis Obispo County. Monitoring stations are located in San Luis Obispo, Nipomo, Grover Beach, Morro Bay, Paso Robles, and Atascadero.

The California Clean Air Act, adopted in 1988, requires that all APCDs and Air Quality Management Districts (AQMDs) adopt and enforce regulations to achieve and maintain the state ambient air quality standards for the area under its jurisdiction. Pursuant to the requirements of the law, San Luis Obispo County has adopted (May 1998) a Clean Air Plan (CAP, formally known as the Air Quality Attainment and Maintenance Plan) to demonstrate attainment of the state standards by the earliest practicable date. The CAP is a comprehensive planning document intended to provide guidance to the APCD, the County, and other local agencies on how to attain and maintain the state standard for ozone. The CAP presents a detailed description of the sources and pollutants which impact the County, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

The District has been designated a nonattainment area for the state ozone and PM₁₀ standards and is required to reduce emissions of nonattainment pollutants (or their precursors) by at least 5% per year until the standards are achieved. State law requires that emissions of nonattainment pollutants countywide be decreased by at least 40% from the 1987 levels in order to meet clean air standards.

The local concentrations of inert, or non-reactive, pollutants (CO, O₃, PM₁₀) are primarily influenced by nearby sources of emissions, and thus, vary considerably between monitoring stations; the SO₂ levels on the Nipomo Mesa are a good example of this. On a regional basis, ozone is the pollutant of greatest concern in the County, particularly within the coastal plateau. Ozone is a secondary pollutant, formed in the atmosphere by complex photochemical reactions involving precursor pollutants and sunlight. The amount of ozone formed is dependant upon both the ambient concentration of chemical precursors and the intensity and duration of sunlight. Consequently, ambient ozone concentration tends to vary seasonally with the weather. Reactive organic gases (ROG), also called reactive hydrocarbons (RHC), and nitrogen oxides (NO_x) are the primary precursors to ozone formation. NO_x emissions result primarily from the combustion of fossil fuels; ROG emissions are also generated by fossil fuel combustion and through the evaporation of petroleum products.

D. EXISTING EMISSIONS

The most recent emission inventory for San Luis Obispo County is shown in Table 4. Emissions of ROG and NO_x are fairly equally divided between mobile and stationary sources, with the Duke Morro Bay power plant being the largest, single stationary source of NO_x emissions in the County. The majority of NO_x emissions are produced by automobiles and electrical generation. Industrial sources, in particular the Unocal complex on the Nipomo Mesa, generate nearly all of the SO₂ emissions in the County.

**TABLE 2
Ambient Air Quality Standards**

POLLUTANT	AVERAGING TIME	CALIFORNIA STANDARDS ¹	NATIONAL STANDARDS ²	
		CONCENTRATION	PRIMARY ^{3,4}	Secondary ^{3,5}
OZONE (O ₃)	1 Hour	0.09 ppm (180 µg/m ³)	0.12 ppm (235 µg/m ³) ⁶	Same as Primary Standard
	8 Hour	—	0.08 ppm (157 µg/m ³)	
FINE PARTICULATE MATTER (PM _{2.5})	24 Hour	No California Standards	65 µg/m ³	Same as Primary Standard
	Annual arithmetic mean		15 µg/m ³	
RESPIRABLE PARTICULATE MATTER (PM ₁₀)	Annual geometric mean	30 µg/m ³	—	
	24 Hour	50 µg/m ³	150 µg/m ³	
	Annual arithmetic mean	—	50 µg/m ³	
CARBON MONOXIDE (CO)	8 Hour	9.0 ppm (10 mg/m ³)	9 ppm (10 mg/m ³)	
	1 Hour	20 ppm (23 mg/m ³)	35 ppm (40 mg/m ³)	
NITROGEN DIOXIDE (NO ₂)	Annual arithmetic mean	—	0.053 ppm (100 µg/m ³)	Same as Primary Standard
	1 Hour	0.25 ppm (470 µg/m ³)	—	
LEAD	30 day average	1.5 µg/m ³	—	—
	Calendar quarter	—	1.5 µg/m ³	Same as Primary Standard
SULFUR DIOXIDE (SO ₂)	Annual arithmetic mean	—	0.030 ppm (80 µg/m ³)	—
	24 Hour	0.04 PPM (105 µg/m ³)	0.14 PPM (365 µg/m ³)	—
	3 Hour	—	—	0.5 ppm (1300 µg/m ³)
	1 Hour	0.25 PPM (655 µg/m ³)	—	—
VISIBILITY REDUCING PARTICLES	8 Hour (10 am to 6 pm, PST)	In sufficient amount to produce an extinction coefficient of 0.23 per kilometer – visibility of ten miles or more due to particles when the relative humidity is less than 70 percent.	No National Standards	
SULFATES	24 Hour	25 µg/m ³		
HYDROGEN SULFIDE	1 Hour	0.03 PPM (42 µg/m ³)		

NOTES:

- California standards for ozone, carbon monoxide, sulfur dioxide (1- and 24-hour), nitrogen dioxide, respirable particulate matter (PM₁₀), and visibility reducing particles, are values that are not to be exceeded. All others are not to be equaled or exceeded.
- National standards, other than ozone, fine particulate matter (PM_{2.5}), and those based on annual averages or annual arithmetic mean, are not to be exceeded more than once a year. The 1-hour ozone standard is attained when the expected number of days per calendar year with maximum hourly concentrations above the standard is equal to or less than one. The 8-hour ozone standard is attained when the fourth highest 8-hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM_{2.5} the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.
- Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 mm of mercury (1,013.2 millibar). Most air quality standards are to be corrected to a reference temperature of 25°C and a reference pressure of 760 mm of mercury, ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
- National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
- National Secondary Standards: The levels of quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
- New national 8-hour ozone and fine particulate matter standards were promulgated by U.S. EPA on July 18, 1997. The national 1-hour ozone standard continues to apply in areas that violated the standard. Contact U.S. EPA for further clarification and current national policies.

**TABLE 3
San Luis Obispo APCD
Maximum Pollutant Concentrations Measured
In San Luis Obispo County from 1990-1997**

Pollutant/ Monitoring Station	Averaging Time	Units of Measure	1993	1994	1995	1996	1996	1997	1998	1999
Ozone (O₃)										
San Luis Obispo	1-hour	ppm	0.08	0.09	0.07	0.08	0.08	0.07	0.07	0.09
Nipomo	1-hour	ppm	0.09	0.10	0.09	0.07	0.07	**	**	0.09
Grover Beach	1-hour	ppm	0.11	0.08	0.07	0.08	0.08	0.07	0.07	0.09
Morro Bay	1-hour	ppm	0.09	0.09	0.10	0.11	0.14	0.08	0.07	0.10
Paso Robles	1-hour	ppm	0.09	0.09	0.10	0.11	0.14	0.08	0.13	0.10
Atascadero	1-hour	ppm	0.10	0.10	0.10	0.10	0.10	0.09	0.10	0.09
Carbon Monoxide (CO)										
San Luis Obispo	1-hour	ppm	8.0	9.0	6.0	5.7	5.0	7.4	4.0	5.0
	8-hour	ppm	3.1	3.2	3.2	3.1	2.9	2.6	2.3	3.1
Nitrogen Dioxide (NO₂)										
San Luis Obispo	1-hour	ppm	0.06	0.1	0.07	0.07	0.06	0.07	0.06	0.06
	annual	ppm	0.013	0.010	0.014	0.013	0.013	0.014	0.012	0.013
Nipomo	1-hour	ppm	0.04	0.10	0.05	0.06	0.04*	**	0.04	0.07
	annual	ppm	0.010	0.010	0.010	0.008	0.008	**	0.008	0.007
Grover Beach	1-hour	ppm	0.05	0.10	0.05	0.04	0.05	0.04	0.05	0.05
	annual	ppm	0.007	0.010	0.010	0.007	0.007	0.008	0.007	0.008
SLO-Lewis Lane	1-hour	ppm	0.03	0.10	0.04	0.02*	**	**	**	**
	annual	ppm	0.006	0.010	0.000	0.003	**	**	**	**
Atascadero	1-hour	ppm	0.06	0.10	0.07	0.06	0.06	0.07	0.06	0.07
	annual	ppm	0.015	0.010	0.010	0.012	0.012	0.012	0.111	0.0113
Sulfur Dioxide (SO₂)										
Nipomo	1-hour	ppm	0.04	0.03	0.03	0.024	0.031	**	**	**
	24-hour	ppm	0.010	0.010	0.01	0.004	0.005	**	**	**
	annual	ppm	0.000	0.000	0.000	0.001	0.001*	**	**	**
Grover Beach	1-hour	ppm	0.03	0.04	0.03	0.04	0.05	0.04	0.02	0.04
	24-hour	ppm	0.004	0.010	0.020	0.004	0.005	0.006	0.004	0.005
	annual	ppm	0.000	0.000	0.000	0.000	0.000	0.001	0.001	0.001
Morro Bay	1-hour	ppm	0.01	0.01	0.01	0.038	**	**	**	**
	24-hour	ppm	0.000	0.000	0.000	0.005	**	**	**	**
	annual	ppm	0.000	0.000	0.000	0.000	**	**	**	**

Pollutant/ Monitoring Station	Averaging Time	Units of Measure	1993	1994	1995	1996	1996	1997	1998	1999
SLO-Lewis Lane	1-hour	ppm	0.020	0.020	0.020	0.010	**	**	**	**
	24-hour	ppm	0.004	0.010	0.000	0.000*	**	**	**	**
	annual	ppm	0.000	0.000	0.000	0.000*	**	**	**	**
Nipomo Mesa	1-hour	ppm	0.170	0.140	**	**	**	**	**	**
	24-hour	ppm	0.017	0.020	**	**	**	**	**	**
	annual	ppm	0.003	0.000	**	**	**	**	**	**
PM-10										
San Luis Obispo	24-hour	µg/m ³	36*	57	37	51	39	55	32	44
	annual	µg/m ³	18.8*	19.1	19.1	17.6	15.2	17.2	16.0	17.6
Atascadero	24-hour	µg/m ³	44*	78*	44	52	44	70	47	43
	annual	µg/m ³	22.3*	20.7*	21.1	20.8	16.1	18.7	16.3	19.4
Nipomo	24-hour	µg/m ³	46	59*	52	62	48	**	**	72
	annual	µg/m ³	22.9	19.2*	20.8	17.0	18.1*	**	**	22.3
Morro Bay	24-hour	µg/m ³	38	64	48*	40	42	57	33	39
	annual	µg/m ³	17.8	18.6	18.3*	17.5	15.8	18.2	14.6	15.6
Paso Robles	24-hour	µg/m ³	53*	54*	30*	56	46	75	55	58
	annual	µg/m ³	22.8*	16.3*	19.5*	18.7	17.4	19.0	17.4	22.7

Notes: -- Indicates data not available

* Data are valid but incomplete and may not be representative

** Monitoring Terminated;

++ Annual arithmetic man for SO₂ and NO₂, Annual geometric mean for TSP and PM10

TABLE 4
San Luis Obispo APCD
1991 Reference Year
Annual Emissions Inventory Summary (tons per year)

SOURCES	TOG	ROG	CO	NOx	SO2	PM-10
STATIONARY SOURCES						
Fuel Combustion						
Electric Utilities	27.5	11.9	605.8	3443.4	159.3	62.3
Cogeneration	2.7	0.3	16.2	23.4	0.0	0.0
Oil and Gas Production	47.8	16.3	100.6	218.4	2.7	5.5
Petroleum Refining	14.3	10.5	74.0	287.3	760.7	17.4
Manufacturing and Industrial	15.7	3.7	90.7	152.9	3.9	1.7
Food and Agriculture Processing	0.0	0.0	0.0	0.0	0.0	0.0
Services and Commercial	46.4	18.6	38.4	213.2	3.2	8.6
Other	0.0	0.0	0.0	0.0	0.0	0.0
Fuel Combustion Subtotal	154.4	61.3	925.7	4338.6	929.8	95.5
Waste Disposal						
Sewage Treatment	0.9	0.7	0.0	0.0	0.0	0.0
Landfills	4585.3	60.1	0.0	0.0	0.0	0.0
Incinerators	0.0	0.0	0.0	0.0	0.0	0.0
Soil Remediation	1.1	1.1	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
Waste Disposal Subtotal	4,587.3	61.9	0.0	0.0	0.0	0.0
Cleaning And Surface Coating						
Laundering and Dry Cleaning	7.3	1.0	0.0	0.0	0.0	0.0
Degreasing	179.3	160.0	0.0	0.0	0.0	0.0
Coatings and Related Process Solvents	469.2	445.8	0.0	0.0	0.0	0.0
Printing	24.5	24.5	0.0	0.0	0.0	0.0
Other	148.7	133.6	0.0	0.0	0.0	0.0
Cleaning/Surface Coating Subtotal	829.0	764.9	0.0	0.0	0.0	0.0
Petroleum Production And Marketing						
Oil and Gas Production	246.7	145.1	0.0	0.0	0.0	0.0
Petroleum Refining	335.7	277.9	7.7	37.5	3668.9	25.7
Petroleum Marketing	552.2	519.6	1.0	6.5	1.9	99.5
Other	0.0	0.0	0.0	0.0	0.0	0.0
Petroleum Prod. and Mark. Subtotal	1134.6	942.6	8.7	44.0	3670.8	125.2
Industrial Processes						
Chemical	13.2	12.4	0.0	0.0	0.0	0.0
Food and Agriculture	30.9	30.9	0.0	0.0	0.0	21.9

SOURCES	TOG	ROG	CO	NOx	SO2	PM-10
Mineral Processes	0.0	0.0	0.8	5.8	2.1	42.9
Metal Processes	0.0	0.0	0.0	0.0	0.0	0.0
Wood and Paper	0.0	0.0	0.0	0.0	0.0	0.0
Glass and Related	0.0	0.0	0.0	0.0	0.0	0.0
Electronics	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
Industrial Processes Subtotal	44.1	43.3	0.8	5.8	2.1	64.8
TOTAL STATIONARY SOURCES	6,749.4	1,874.0	935.2	4,388.4	4,602.7	285.5
AREA-WIDE SOURCES						
Solvent Evaporation						
Consumer Products	698.8	632.5	0.0	0.0	0.0	0.0
Architectural Coatings/Related Proc. Solv.	414	375.3	0.0	0.0	0.0	0.0
Pesticides/Fertilizers	471.7	467.4	0.0	0.0	0.0	0.0
Asphalt Paving	83.5	83.5	0.0	0.0	0.0	0.0
Refrigerants	0.0	0.0	0.0	0.0	0.0	0.0
Other	17.5	17.5	0.0	0.0	0.0	0.0
Solvent Evaporation Subtotal	1685.5	1576.2	0.0	0.0	0.0	0.0
Miscellaneous Processes						
Residential Fuel Combustion	512.3	212.8	3,504.2	225.3	10.0	496.7
Farming Operations	0.0	0.0	0.0	0.0	0.0	652.2
Construction and Demolition	0.0	0.0	0.0	0.0	0.0	1,165.1
Paved Road Dust	0.0	0.0	0.0	0.0	0.0	1,297.2
Unpaved Road Dust	0.0	0.0	0.0	0.0	0.0	3,158.4
Fugitive Wind Blown Dust	0.0	0.0	0.0	0.0	0.0	628.7
Fires	3.3	2.3	35.1	0.7	0.0	3.5
Waste Burning and Disposal	1,557.1	670.4	8,049.2	5.6	0.9	1,068.2
Utility Equipment	175.2	168.0	1,424.8	6.3	0.3	3.2
Other	12.4	8.7	0.0	0.0	0.0	25.9
Miscellaneous Processes Subtotal	2,260.3	1,062.2	13,013.3	237.9	11.2	8,499.1
TOTAL AREA-WIDE SOURCES	3,945.8	2,638.4	13,013.3	237.9	11.2	8,499.1
MOBILE SOURCES						
On-Road Motor Vehicles						
Light-Duty Vehicle Passenger	3,938.40	3,511.80	35,913.20	3,166.30	57.80	51.10
Light-Duty Trucks	2,404.60	2,122.70	22,194.50	2,384.00	33.00	27.20
Medium Duty Trucks	213.00	184.00	1,668.30	265.80	3.20	1.70
Light Heavy-Duty Gas Trucks	92.60	85.90	1,627.50	322.70	7.90	11.70
Medium Heavy-Duty Gas Trucks	65.20	61.80	1,080.00	127.80	1.90	3.70
Light Heavy-Duty Diesel Trucks	17.30	16.80	81.20	133.40	9.20	15.90
Medium Heavy-Duty Diesel Trucks	48.70	46.90	197.40	350.10	15.20	49.20

SOURCES	TOG	ROG	CO	NOx	SO2	PM-10
Heavy Heavy-Duty Diesel Trucks	161.80	157.20	665.10	1,519.20	43.30	161.30
Motorcycle	53.00	49.70	167.60	20.10	0.30	0.90
Heavy-Duty Diesel Urban Buses	0.80	0.80	1.00	9.40	0.30	0.20
On-Road Motor Vehicles Subtotal	6,995.4	6,237.6	63,595.8	8,298.8	172.1	322.9
Other Mobile Sources						
Aircraft	153.40	133.80	1,450.00	24.00	3.30	0.00
Trains	26.60	25.80	85.20	786.20	31.30	18.60
Ships and Commercial Boats	28.20	27.30	79.30	343.30	46.80	26.80
Recreational Boats	472.70	453.90	1,565.90	41.70	1.00	18.70
Off-Road Recreational Vehicles	99.10	95.20	577.30	14.10	0.70	1.30
Commercial/Industrial Mobile Equipment	90.00	87.10	1,169.90	743.20	10.90	46.70
Farm Equipment	277.50	268.20	4,058.10	1,668.40	14.60	121.60
Other	0.00	0.00	0.00	0.00	0.00	0.00
Other Mobile Sources Subtotal	1,147.5	1,091.3	8,985.7	3,620.9	108.6	233.7
TOTAL MOBILE SOURCES	8,142.9	7,328.9	72,581.5	11,919.7	280.7	556.6
TOTAL ALL SOURCES	18,838.1	11,841.3	86,530.0	16,546.0	4,894.6	9,341.2

Source: San Luis Obispo County Air Pollution Control District, Clean Air Plan, May 1998

IV. THRESHOLDS OF SIGNIFICANCE

California and the federal EPA have adopted air quality standards for pollutants of primary public health concern. Pollutants for which National standards have been set include ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, fine particulate matter and lead, a specific particulate pollutant. California standards tend to be more restrictive and health-protective than National standards. San Luis Obispo County is in attainment for all federal air quality standards. The County is also in attainment for state air quality standards with the exception of ozone and PM₁₀ emissions.

Thresholds of significance for determining air quality impacts are established by the APCD. These thresholds are discussed or are shown in the following impact analysis sections and comparisons to actual impacts are given where applicable (refer to Table 7 and Table 8). Table 5 represents the APCD Thresholds of Significance for Operational Emissions Impacts. Table 6 represents the Level of Construction Activity Requiring Mitigation

**TABLE 5
APCD Thresholds of Significance
For Operational Emissions Impacts**

Pollutant	Threshold	Tier 1	Tier 2	Tier 3
ROG, NO _x , SO ₂ , PM ₁₀	<10 lbs/day	10 lbs/day	25 lbs/day	25 tons/yr
CO	<50 lbs/day	50 lbs/day	550 lbs/day	25 tons/yr
Level of Significance	Insignificant	Significant	Significant	Significant
Environmental Document	ND	MND	MND or EIR	EIR

Source: County of San Luis Obispo APCD CEQA Air Quality Handbook, 1997

**TABLE 6
Level of Construction Activity Requiring Mitigation**

Pollutant of Concern	Emissions		Amount of Material Moved	
	Tons/Qtr.	Lbs/day	Cu. Yds/ Qtr.	Cu. Yds/Day
ROG	2.5	185	400,000	15,000
	6.0		970,000	
NO _x	2.5	185	50,000	2,000
	6.0		125,000	
PM ₁₀	Any project with a grading area greater than 4.0 acres of continuously worked area will exceed the 2.5 ton PM ₁₀ quarterly threshold.			
(All calculations assume working conditions of 8 hours per day, 5 days per week, for a total of 65 days per quarter.)				

Source: County of San Luis Obispo APCD CEQA Air Quality Handbook, 1997

V. IMPACT ASSESSMENT AND METHODOLOGY

Emission estimates for the proposed project have been determined through use of the following:

- Consultation with the County of San Luis Obispo APCD;
- Use of the County of San Luis Obispo APCD CEQA Air Quality Handbook, August 1997;
- Use of the County of San Luis Obispo APCD Clean Air Plan, May 1998;
- Use of the URBEMIS7G software program designed to estimate air emissions from land development projects; and,
- Incorporation of the Traffic and Circulation Study prepared for the proposed project.

Subsequent to the determination of emission estimates for the proposed project, the emissions are analyzed in accordance to the thresholds of significance put in place by the County of San Luis Obispo APCD. This analysis provides the basis for the determination of the level of significance in association to APCD tiered thresholds:

VI. PROJECT-SPECIFIC IMPACTS

A. SHORT-TERM CONSTRUCTION EMISSIONS

1. Asbestos Emissions

The APCD has expressed concern that asbestos containing materials (ACM's) may be present within the existing structures that will be disturbed during demolition activities. The project is subject to the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP), which include but are not limited to: 1) notification requirements to the APCD; 2) asbestos survey conducted by a Certified Asbestos Inspector; and, 3) applicable removal and disposal requirements of identified ACM's.

2. Construction Emissions

Use of heavy equipment and earth-moving operations during project construction can generate fugitive dust and combustion emissions that may have substantial temporary impacts on local air quality. Fugitive dust emissions result from land clearing, demolition, ground excavation, cut and fill operations, and equipment traffic over temporary roads at the construction site. Combustion emissions, primarily NO_x, are most significant when using large, diesel-fueled scrapers, loaders, dozers, haul trucks, compressors, generators and other heavy equipment. Emissions can vary substantially from day to day depending on the level of activity, the specific type of operation and, for dust, the prevailing weather conditions.

Screening emission rates for construction operations provided by the APCD were used to determine construction emissions. Total emissions generated by construction activities are shown in Table 7 and calculations for these emissions are included in Appendix A. Not all construction activities will occur at the same time; therefore, this estimate should take account for a "worse-case" scenario.

TABLE 7
Short-Term Construction Emissions

Short-Term Construction Emissions	Daily Emission Estimates (lbs/day)				Quarterly Emission Estimates (ton/qtr)			
	ROG	NO _x	PM ₁₀	CO	ROG	NO _x	PM ₁₀	CO
Phase 1:								
Golf Course Construction (370,000 cubic yards)	99.30	760.91	46.10	198.67	2.28	17.50	1.06	4.57
Resort Construction (45,000 cubic yards)	92.59	709.50	42.99	185.25	0.28	2.13	0.13	0.56
<i>Phase 1 Subtotal</i>	191.89	1,470.41	89.09	383.92	2.56	19.63	1.19	5.13
Phase 2:								
Golf Course Construction (185,000 cubic yards)	99.30	760.91	46.10	198.67	1.14	8.57	0.53	2.28
<i>Phase 2 Subtotal</i>	99.30	760.91	46.10	198.67	1.14	8.57	0.53	2.28
Total Project Emissions	291.19	2,231.32	135.19	582.59	3.70	28.20	1.72	7.41
APCD Threshold	185	185	N/A	N/A	2.5 6.0	2.5 6.0	2.5	N/A

Note: Emissions in bold type have exceeded the APCD thresholds for construction activities

A total of 600,000 cubic yards of cut and fill is estimated to result from construction of the golf course (555,000 cubic yards) and resort area (45,000 cubic yards), which will be balanced on-site. Construction of Phase 1 will include the entire resort area (45,000 cubic yards) and 2/3 of the total golf course area (370,000 cubic yards). Phase 2 construction will include the remaining 1/3 total golf course area (185,000 cubic yards). There will be a maximum of 8,000 cubic yards of material moved per day for grading activities required for the golf course and resort area.

Construction activities for Phase 1 and 2 are anticipated to extend longer than one week; therefore, a Construction Activity Management Plan is required for the project. The Construction Activity Management Plan should be prepared and submitted to the APCD for approval prior to implementation.

The critical pollutant in the evaluation of the significance of construction emission is oxides of nitrogen because of the high output of this pollutant by heavy diesel equipment normally used in grading operations and their role as ozone precursors. The total output of NO_x emissions to construct the project is estimated above at 2,231.32 pounds per day (28.20 tons per quarter), while the total output of ROG emissions is estimated above at 291.19 pounds per day (3.70 tons per quarter).

Based on this estimate and the threshold of significance for ozone precursors (reactive hydrocarbons and oxides of nitrogen), construction of the project will result in combustion related emissions that exceed the pounds per day and tons per quarter APCD's mitigation threshold for ROG and NO_x. Projects that will result in ROG and NO_x emissions exceeding 6.0 tons per quarter requires best available control technology for construction (CBACT) plus further mitigations, including emission offsets. Therefore, the APCD's recommended CBACT equipment should be incorporated into the project (oxidation catalysts, CARB certified diesel, all equipment properly toned).

The Black Ranch Resort project will grade an area greater than 4.0 acres. Any project with a grading area greater than 4.0 acres of continuously worked area will exceed the 2.5 ton PM₁₀ quarterly threshold. Therefore, all standard APCD dust control mitigation measures should be incorporated into the construction phase of the proposed project to reduce the potential to generate nuisance problems and maintain PM₁₀ emissions below the APCD's mitigation threshold.

B. LONG-TERM OPERATIONAL EMISSIONS

Long-term operational emissions result from the combination of vehicle emissions and area source emissions. The two components of operational emissions were determined through the use of the URBEMIS7G software program (refer to Appendix A for URBEMIS Emission Estimates). Trip rates were determined from the Associated Transportation Engineers Traffic and Circulation Study and the Addendum to the Traffic and Circulation Study prepared for the project, where applicable. URBEMIS7G trip rate defaults were used for the components of the project that were not included in the traffic report.

**TABLE 8
Summer and Winter Long-Term Operational Emissions**

Long-Term Operational Emissions	Emission Estimates (lbs/day)							
	Summer Emissions				Winter Emissions			
	ROG	NO _x	PM ₁₀	CO	ROG	NO _x	PM ₁₀	CO
Phase 1:								
Vehicle Emissions	21.13	35.97	1.30	137.31	30.99	41.46	1.3	253.96
Area Source Emissions	0.94	0.23	0.02	6.39	0.01	0.18	0.00	0.07
<i>Phase 1 Subtotal</i>	<i>22.07</i>	<i>36.20</i>	<i>1.32</i>	<i>143.70</i>	<i>31.00</i>	<i>41.64</i>	<i>1.30</i>	<i>254.03</i>
Phase 2:								
Vehicle Emissions	7.18	14.63	0.54	51.73	9.66	16.82	0.54	81.98
Area Source Emissions	0.47	0.08	0.01	3.18	0.00	0.06	0.00	0.02
<i>Phase 2 Subtotal</i>	<i>7.65</i>	<i>14.71</i>	<i>0.55</i>	<i>54.91</i>	<i>9.66</i>	<i>16.88</i>	<i>0.54</i>	<i>82.00</i>
Total Project Emissions	28.87	50.91	1.87	198.61	40.66	58.52	1.84	336.03
APCD Tier I Threshold	10	10	10	50	10	10	10	50
APCD Tier II Threshold	25	25	25	550	25	25	25	550

Note: Emissions in bold type have exceeded the APCD Tier II thresholds for operational emissions

The resort area will be completed in two phases, which will be built at least five years apart from one another. Refer to Table 1 for the schedule of each phase.

Table 9 represents a summation of the summer and winter emission estimates in Table 8; where summer emissions were weighted 2/3 and winter emissions were weighed 1/3.

TABLE 9
Long-Term Operational Emissions
(2/3 Summer and 1/3 Winter)

Long-Term Operational Emissions	Emission Estimates (lbs/day)			
	ROG	NO _x	PM ₁₀	CO
Phase 1:				
Vehicle Emissions	24.41	37.80	1.30	176.16
Area Source Emissions	0.63	0.21	0.01	4.28
Phase 1 Subtotal	25.04	38.01	1.31	180.44
Phase 2:				
Vehicle Emissions	8.01	15.36	0.54	61.80
Area Source Emissions	0.31	0.07	0.01	2.13
Phase 2 Subtotal	8.32	15.43	0.55	63.93
Total Project Emissions	33.36	53.44	1.86	244.37
APCD Tier I Threshold	10	10	10	50
APCD Tier II Threshold	25	25	25	550

Note: Emissions in bold type have exceeded the APCD Tier II thresholds for operational emissions

The inclusion of vehicle and area source emissions results in an exceedance of APCD's Tier II Threshold for ROG and NO_x long-term operational emissions. PM₁₀ long-term operational emissions are within the APCD Tier I Threshold and CO long-term operational emissions are within the APCD Tier II Threshold. Therefore, long-term operational emissions resulting from ROG and NO_x emissions need to be mitigated, reducing emissions within the Tier II Threshold.

VII. MITIGATION MEASURES

The following mitigation measures are necessary in order to reduce short-term construction emissions and long-term operational emissions. They have been developed through implementation of mitigation measures included in the APCD CEQA Air Quality Handbook and through consultation with APCD staff.

A. SHORT-TERM EMISSIONS

The proposed project exceeds the APCD threshold for short-term emissions due to construction activities; therefore, the applicant is required to implement all applicable construction related mitigation measures outlined in the APCD CEQA Air Quality Handbook including CBACT plus offsets and/or other mitigation. The mitigation measures included in this section shall be enforced in order to mitigate the project to the extent feasible.

1. Asbestos Mitigation Measures

Completion of the following mitigation measures is required in order to determine whether asbestos containing materials are present as a result of the proposed project.

- a. Prior to demolition, the applicant shall notify the San Luis Obispo APCD of all facility demolitions at least ten working days before asbestos stripping or removal work begins. The information required for the notification must be reported a "Notification of Demolition and Renovation" form that can be obtained at the APCD. This form includes demolition of facilities that may contain no asbestos.
- b. Prior to demolition, the applicant shall implement the following steps:
 1. The facility shall be inspected and building materials sampled and tested to determine the presence or absence of asbestos.
 2. Samples must be tested by an EPA accredited analytical laboratory, and with an approved EPA asbestos method to determine the percent of asbestos present.
 3. Inspections and testing should be completed and results obtained by the owner, operator or contractor prior to the start of the renovation or demolition.
 4. Test results should be kept on site and made available to the APCD upon request.
- c. Prior to and during demolition, the applicant shall assure the following steps are completed:
 1. Demolition may begin when it is determined that asbestos containing materials are not present, and all notification of the National Emission Standard for Hazardous Air Pollutants (NESHAP) are met.
 2. If asbestos containing materials are present, demolition activity must be done in compliance with the NESHAP.
 3. If proof of inspection and building material testing cannot be provided to the APCD, demolition activity will be required to stop.
 4. Activity may resume only with APCD approval.
 5. Upon receipt of an adequate "Notification of Demolition and Renovation", the APCD will issue a written Authorization Letter and fee invoice to the owner/operator of the facility.
 6. The primary purposes of the Authorization Letter are to verify project start and end dates, to assure that all parties are aware of APCD and EPA requirements, and that those requirements will be adhered to during the abatement.

2. ROG and NOX Mitigation Measures

The following Best Available Control Technology for diesel-fueled construction equipment, shall be implemented where feasible:

- a. If it is determined that portable engines and portable engines will be utilized, the contractor shall contact the County of San Luis Obispo APCD and obtain a permit to operate portable engines prior to commencement of construction. Portable equipment shall be registered in the statewide portable equipment registration program.

- b. Oxidizing soot filters should be installed on 5 pieces of equipment expected to see the heaviest use or which have the highest emissions during construction. Where catalytic soot filters are determined to be unsuitable, the owner shall install and use an oxidation catalyst.
 1. Suitability is to be determined by an authorized representative of the filter manufacturer, or an independent California Licensed Mechanical Engineer who will submit, for APCD approval, a Suitability Report identifying and explaining the particular constraints to using the preferred catalytic soot filter.
 2. Installations must be conducted according to manufacturer's specifications.
 3. Proof that the catalytic soot filters have been installed must be provided to the APCD.
 4. The APCD shall be notified prior to operation of the equipment with the filters installed.
 5. Acceptable proof may be in the form of visual inspection by APCD staff or submittal of filter serial numbers and photos of the equipment with the installed filters.
- c. Use of reformulated diesel fuel. All off-road and portable diesel powered equipment shall be fueled exclusively with CARB certified diesel.
- d. Use 1996 or newer heavy duty off road vehicles to the extent feasible.
- e. Use of Caterpillar pre-chamber diesel engines (or equivalent) together with proper maintenance and operation to reduce emissions of oxides of nitrogen (NOX).
- f. Electrify equipment where possible.
- g. Maintain equipment in tune per manufacturer's specifications, except as otherwise required above.
- h. Install catalytic converters on gasoline-powered equipment.
- i. Use Compressed Natural Gas (CNG) or propane on-site mobile equipment instead of diesel-powered equipment.

3. PM10 Mitigation Measures

Implementation of the following mitigation measures shall be assumed to achieve a 50% reduction in fugitive dust emissions. The use of soil binders on completed cut-and-fill areas has the potential to reduce fugitive dust emissions by 80%:

- a. A Dust Control Plan shall be prepared and approved by the APCD prior to commencement of construction activities. The Dust Control Plan shall include the following:
 1. Important elements of this plan would be detailed dust mitigation measures and provisions for monitoring for dust during construction.
 2. The contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering or other measures as necessary to prevent transport of dust off-site. Their duties should include holiday and weekend periods when work may not be in progress.
 3. The name and telephone number of such persons shall be provided to the APCD prior to construction commencement.
 4. Compliant handling procedures shall be identified.
 5. A daily dust observation log shall be filled out as necessary.

- b. Reduce the amount of the disturbed area where possible.
- c. 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.
- d. All dirt stock-pile areas should be sprayed daily as needed.
- e. 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.
- f. 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.
- g. 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.
- h. 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.
- i. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- j. All trucks hauling dirt, sand, or other loose materials are to be covered or should maintain at least two feet of free board (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114. This measure has the potential to reduce PM₁₀ emissions by 7-14%.
- k. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site. This measure has the potential to reduce PM₁₀ emissions by 40-70%.
- l. 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 when feasible. This measure has the potential to reduce PM₁₀ emissions by 25-60%.
- m. All PM₁₀ mitigation measures required should be shown on grading and building plans.

4. Construction Activity Mitigation Measures

- a. A Construction Activity Management Plan should be prepared and submitted to the APCD for approval prior to implementation.

5. Off-site Mitigation Measures

- a. Construction emissions in excess of 5.0 tons/qtr after implementation of short-term mitigation measures would require an offset at a rate of \$8,500/ton.

B. LONG-TERM EMISSIONS

The proposed project exceeds the APCD threshold of 25 lbs/day for ROG and NO_x long-term emissions; therefore, the applicant is required to include all of the APCD Standard Mitigation Measures, all feasible Discretionary Mitigation Measures, and maybe Off-Site Mitigation Measures. The mitigation measures included in this section shall be enforced in order to mitigate the project to the extent feasible.

1. Standard Site Design Measures

- a. Orient buildings toward streets with convenient pedestrian and transit access; parking in rear.
- b. Provide on-site bicycle parking. One bicycle parking space for every 10 car parking spaces is considered appropriate.
- c. Provide preferential carpool parking.
- d. 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.

2. Standard Energy Efficiency Measures

- a. Increase walls and attic insulation beyond Title 24 requirements.
- b. Orient buildings to maximize natural heating and cooling.

3. Discretionary Transportation Demand Management Measures

- a. Establish an Employee Trip Reduction Program (ETRP) to reduce employee commute trips (i.e. carpooling incentives, vanpools, and transit subsidies).
- b. Employ a transportation/rideshare coordinator.
- c. Implement a rideshare coordinator.
- d. Provide for shuttle/mini bus service for employees, special events, airport/Amtrack services, and services to downtown Paso Robles and Atascadero.
- e. Increase number of bicycle routes/lanes.
- f. Provide on-site banking (ATM) and postal services, if applicable.
- g. Implement a lunch-time shuttle to reduce single occupant vehicle trips, if applicable.
- h. Provide on-site childcare facility (public and private).
- i. Provide guests with electric carts and bicycles for transportation.
- j. Provide pedestrian pathways throughout the facility.
- k. Cater to group activities using buses and vanpools.
- l. Provide on-site eating, refrigeration, vending for employees.

4. Discretionary Energy Efficient Measures

- a. Shade tree planting along southern exposures of buildings to reduce summer cooling needs.
- b. Shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
- c. Use built-in energy efficient appliances, where applicable.
- d. Use double-paned windows.
- e. Use sodium parking lot and streetlights.
- f. Use energy efficient interior lighting.
- g. Electrify golf carts.

5. Off-site Mitigation Measures

- a. Operational emissions in excess of 25 lbs/day after implementation of long-term mitigation measures should be offset at a rate of \$8,500/ton.
- b. Incorporation of an ETRP and electric golf carts may be used to reduce the total emissions.

C. COMPENSATORY OFF-SITE MITIGATION

To fully mitigate the impacts from this project, off-site mitigation is required. The District determined that \$15,000 of off-site mitigation is required to be incorporated into the project. The following is a list of potential options that could be funded:

- Clean transit bus replacement/repower
- Public transit service
- Vanpool programs/subsidies
- Rideshare assistance programs
- Clean school bus replacement/repower/filters

Off-site mitigation funds should not be used for traffic engineering projects including signal synchronization, intersection improvements, and channelization as these projects are related to improving traffic congestion and not air quality.

Placement of the required \$15,000 off-site mitigation fee into a specified program or in-lieu fee agreement shall be in place prior to commencement of construction activities.

VIII. PERFORMANCE CRITERIA

The applicant shall ensure that all above-mentioned mitigation measures are implemented during the appropriate phase of project construction and or development to the level required. Verification shall be by written documentation of all requirements submitted to APCD or their designee. Communication shall be established and maintained throughout the duration of project construction and development between the applicant and the APCD to remain in compliance with the APCD.

All mitigation measures requirements should be included in the contractor bid package. In addition, all PM10 mitigation measures required should be shown on grading and building plans.

IX. CONCLUSION

The proposed development of the Black Ranch Resort exceeds APCD's thresholds for short-term construction and long-term operational emissions. All appropriate and feasible mitigation measures have been assigned to the project to reduce both short-term and long-term project emissions. Implementation of the assigned mitigation measures will reduce short-term construction and long-term operational emissions; however, some emissions may still be considered significant.

X. REFERENCES

Air Pollution Control District, 1998. Clean Air Plan, San Luis Obispo County.

Air Pollution Control District, County of San Luis Obispo 1997. CEQA Air Quality Handbook, A guide for assessing the air quality impacts for projects subject to CEQA review.

Associated Transportation Engineers, Traffic and Circulation Study for the Black Ranch Project, Paso Robles, California, August 1998.

Associated Transportation Engineers, Addendum to the Traffic and Circulation Study for the Black Ranch Project, Paso Robles, California, August 2001.

APPENDIX A

- **URBEMIS Emission Estimates**
- **Construction Emission Calculations**

**Black Ranch Resort Project
Construction Emissions Calculations**

Screening Emission Rates for Construction Operations

Reactive Organic Gases (ROG)	0.0123 lbs/yd ³
Oxides of Nitrogen (NOx)	0.0946 lbs/yd ³
Combustion Particulate (PM10)	0.0057 lbs/yd ³
Carbon Monoxide (CO)	0.0247 lbs/yd ³
Sulfur Oxides (SOx)	0.0108 lbs/yd ³

**Construction Activities
(Golf Course Area)**

	Total	Phase 1	Phase 2
Total Volume of Excavation	555,000	370,000	185,000 cubic yards
Maximum Rate of Excavation Per Day	8,000	8,000	8,000 cubic yards
Total Days of Excavation	69	46	23 days
Construction Hours Per Day	8	8	8 hours/day

**Total Construction Emissions (lbs)
(Golf Course Area)**

	ROG	NOx	PM0	CO	SOx
Phase 1	4567.93	35002.00	2120.83	9139.00	3996.94
Phase 2	2283.97	17501.00	1060.41	4569.50	1998.47
Total	6851.90	52503.00	3181.24	13708.50	5995.41

**Total Construction Emissions (tons/qr)
(Golf Course Area)**

	ROG	NOx	PM0	CO	SOx
Phase 1	2.28	17.50	1.06	4.57	2.00
Phase 2	1.14	8.75	0.53	2.28	1.00
Total	3.43	26.25	1.59	6.85	3.00

**Total Construction Emissions Per Day (lbs)
(Golf Course Area)**

	ROG	NOx	PM0	CO	SOx
Phase 1	99.30	760.91	46.10	198.67	86.89
Phase 2	99.30	760.91	46.10	198.67	86.89
Total	99.30	760.91	46.10	198.67	86.89

**Construction Activities
(Resort Area)**

Total Volume of Excavation	45,000 cubic yards
Maximum Rate of Excavation Per Day	8,000 cubic yards
Total Days of Excavation	6 days
Construction Hours Per Day	8 hours/day

**Total Construction Emissions (lbs)
(Resort Area)**

ROG	NOx	PM0	CO	SOx
555.56	4257.00	257.94	1111.50	486.11

**Total Construction Emissions (tons/qr)
(Resort Area)**

ROG	NOx	PM0	CO	SOx
0.28	2.13	0.13	0.56	0.24

**Total Construction Emissions Per Day (lbs)
(Resort Area)**

ROG	NOx	PM0	CO	SOx
92.59	709.50	42.99	185.25	81.02

URBEMIS 7G For Windows 5.1.0

Name: C:\Program Files\URBEMIS 7G For Windows\Projects\Black Ranch Air
Project Name: Black Ranch Air Quality Phase 1
Project Location: San Luis Obispo County

SUMMARY REPORT
(Pounds/Day - Summer)

AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	PM10	SOX
TOTALS (lbs/day, unmitigated)	0.94	0.23	6.39	0.02	0.00

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	PM10
TOTALS (ppd, unmitigated)	20.13	35.97	137.31	1.30

URBEMIS 7G For Windows 5.1.0

File Name: C:\Program Files\URBEMIS 7G For Windows\Projects\Black Ranch Air Quality Phase 1
Project Name: Black Ranch Air Quality Phase 1
Project Location: San Luis Obispo County

DETAIL REPORT
(Pounds/Day - Summer)

AREA SOURCE EMISSION ESTIMATES (Summer Pounds per Day, Unmitigated)

Source	ROG	NOx	CO	PM10	SOX
Natural Gas	0.01	0.18	0.07	0.00	-
Wood Stoves - No summer emissions					
Fireplaces - No summer emissions					
Landscaping	0.93	0.05	6.32	0.02	0.00
Consumer Prdcts	0.00	-	-	-	-
TOTALS (lbs/day, unmitigated)	0.94	0.23	6.39	0.02	0.00

UNMITIGATED OPERATIONAL EMISSIONS

	ROG	NOx	CO	PM10
Health Spa	0.45	0.90	3.42	0.03
Restaurant--Fine Dining	4.23	8.87	33.90	0.32
Restaurant--Cafe	1.39	2.92	11.13	0.11
Golf Course (18 holes)	0.28	0.56	2.15	0.02
Hotel	11.50	18.22	69.50	0.66
Jack Bar/Pro Shop	0.06	0.07	0.27	0.00
Line Information Center	0.28	0.54	2.07	0.02
Conference Facilities	1.96	3.89	14.89	0.14
TOTAL EMISSIONS (lbs/day)	20.13	35.97	137.31	1.30

Does not include correction for passby trips.
 Does not include double counting adjustment for internal trips.

OPERATIONAL (Vehicle) EMISSION ESTIMATES

Analysis Year: 2004 Temperature (F): 90 Season: Summer

EMFAC Version: EMFAC7G (10/96)

Summary of Land Uses:

Land Use Type	Trip Rate	Size	Total Trips
Health Spa	40.00 trips / 1000 sq. ft.	1.50	60.00
Restaurant--Fine Dining	96.24 trips / 1000 sq. ft.	6.00	577.44
Restaurant--Cafe	130.34 trips / 1000 sq. ft.	1.50	195.51
Golf Course (18 holes)	37.72 trips / 18 Hole	1.00	37.72
Hotel	7.63 trips / rooms	160.00	1,220.80
Jack Bar/Pro Shop	3.24 trips / 1000 sq. ft.	1.50	4.86
Line Information Center	25.00 trips / 1000 sq. ft.	1.50	37.50
Conference Facilities	30.00 trips / 1000 sq. ft.	8.29	248.58

Vehicle Assumptions:

Vehicle Mix:

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Duty Autos	75.00	1.16	98.58	0.26
Light Duty Trucks	10.00	0.13	99.54	0.33
Medium Duty Trucks	3.00	1.44	98.56	-
Light-Heavy Duty Trucks	1.00	19.56	40.00	40.44
Medium-Heavy Duty Trucks	1.00	19.56	40.00	40.44
Heavy-Heavy Trucks	5.00	-	-	100.00
Urban Buses	2.00	-	-	100.00
Motorcycles	3.00	100.00% all fuels		

Travel Conditions

	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	12.0	7.8	10.0	10.0	4.7	4.7
Suburban Trip Length (miles)	15.0	10.0	10.0	15.0	15.0	15.0
Speeds (mph)	40.0	40.0	40.0	40.0	40.0	40.0
Number of Trips - Residential	27.4	17.7	54.9			

Number of Trips - Commercial (by land use)

Health Spa	5.0	2.5	92.5
Restaurant--Fine Dining	8.0	4.0	88.0
Restaurant--Cafe	5.0	2.5	92.5
Golf Course (18 holes)	5.0	2.5	92.5
Hotel	5.0	2.5	92.5
Snack Bar/Pro Shop	2.0	1.0	97.0
Wine Information Center	2.0	1.0	97.0
Conference Facilities	10.0	5.0	85.0

age: 5

anges made to the default values for Area

es made to the default values for Operations

- ie operational emission year changed from 2000 to 2004.
- ie operational winter selection item changed from 3 to 2.
- ie operational summer temperature changed from 85 to 90.
- ie travel mode environment settings changed from both to: none

URBEMIS 7G For Windows 5.1.0

Name: C:\Program Files\URBEMIS 7G For Windows\Projects\Black Ranch Air
Project Name: Black Ranch Air Quality Phase 2
Project Location: San Luis Obispo County

SUMMARY REPORT
(Pounds/Day - Summer)

AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	PM10	SOX
TOTALS (lbs/day, unmitigated)	0.47	0.08	3.18	0.01	0.00

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	PM10
TOTALS (ppd, unmitigated)	7.18	14.63	51.73	0.54

URBEMIS 7G For Windows 5.1.0

File Name: C:\Program Files\URBEMIS 7G For Windows\Projects\Black Ranch A
Project Name: Black Ranch Air Quality Phase 2
Project Location: San Luis Obispo County

DETAIL REPORT
(Pounds/Day - Summer)

AREA SOURCE EMISSION ESTIMATES (Summer Pounds per Day, Unmitigated)

Source	ROG	NOx	CO	PM10	SOX
Natural Gas	0.00	0.06	0.02	0.00	-
Wood Stoves - No summer emissions					
Fireplaces - No summer emissions					
Landscaping	0.46	0.02	3.16	0.01	0.00
Consumer Prdcts	0.00	-	-	-	-
TOTALS (lbs/day, unmitigated)	0.47	0.08	3.18	0.01	0.00

UNMITIGATED OPERATIONAL EMISSIONS

	ROG	NOx	CO	PM10
Health Spa	0.20	0.50	1.75	0.02
Golf Course (9 holes)	0.19	0.47	1.65	0.02
Hotel	5.87	11.34	40.04	0.42
Conference Facilities	0.93	2.33	8.29	0.09
TOTAL EMISSIONS (lbs/day)	7.18	14.63	51.73	0.54

Does not include correction for passby trips.
 Does not include double counting adjustment for internal trips.

OPERATIONAL (Vehicle) EMISSION ESTIMATES

Analysis Year: 2010 Temperature (F): 90 Season: Summer

EMFAC Version: EMFAC7G (10/96)

Summary of Land Uses:

Land Use Type	Trip Rate	Size	Total Trips
Health Spa	40.00 trips / 1000 sq. ft.	1.00	40.00
Golf Course (9 holes)	37.72 trips / 9 Hole	1.00	37.72
Hotel	7.63 trips / rooms	120.00	915.60
Conference Facilities	30.00 trips / 1000 sq. ft.	6.00	180.00

Vehicle Assumptions:

Fleet Mix:

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Duty Autos	75.00	1.16	98.58	0.26
Light Duty Trucks	10.00	0.13	99.54	0.33
Medium Duty Trucks	3.00	1.44	98.56	-
Light-Heavy Duty Trucks	1.00	19.56	40.00	40.44
Med.-Heavy Duty Trucks	1.00	19.56	40.00	40.44
Heavy-Heavy Trucks	5.00	-	-	100.00
Urban Buses	2.00	-	-	100.00
Motorcycles	3.00	100.00% all fuels		

Travel Conditions	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	12.0	7.8	10.0	10.0	4.7	4.7
Rural Trip Length (miles)	15.0	10.0	10.0	15.0	15.0	15.0
Trip Speeds (mph)	40.0	40.0	40.0	40.0	40.0	40.0
Number of Trips - Residential	27.4	17.7	54.9			

Number of Trips - Commercial (by land use)

Health Spa	5.0	2.5	92.5
Golf Course (9 holes)	5.0	2.5	92.5
Hotel	5.0	2.5	92.5
Conference Facilities	10.0	5.0	85.0

Changes made to the default values for Area

Changes made to the default values for Operations

The operational emission year changed from 2000 to 2010.

The operational winter selection item changed from 3 to 2.

The operational summer temperature changed from 85 to 90.

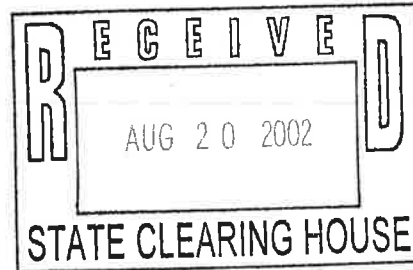
The travel mode environment settings changed from both to: none



**AIR POLLUTION
CONTROL DISTRICT**
COUNTY OF SAN LUIS OBISPO

August 20, 200200

Darren Nash, Associate Planner
City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446



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8-23-02
e

SUBJECT: SCH# 2002-071124
Black Ranch Resort Development (PD 01-025 & CUP 01-017)

Dear Mr. Nash:

Thank you for including District staff in the environmental review process. We have reviewed the Initial Study and Black Ranch Comprehensive Air Quality Mitigation Plan and have the following comments.

Specific Comments

- *Mitigation Monitoring Plan, AQ-4* - It should be noted that portable engines and portable equipment should be registered in the statewide portable equipment registration program or must obtain a permit to operate from the District prior to the start of construction. Examples of portable engines include, but are not limited to, internal combustion engines used in cranes, pumps, welding, well drilling tactical support equipment power generation, diesel pile driving hammers, and compressors. Examples of portable equipment include, but are not limited to, confined and unconfined abrasive blasting operations, concrete batch plants, and sand and gravel screening, rock and pavement crushing, tub grinders and trommel screens.

It should also be noted that if standby generators are used at the facility (either during construction or after the facility is operational) they may require a permit from the District. Please check with the District's Engineering Division with questions regarding permitting requirements.

- *Mitigation Monitoring Plan AQ-14 and AQ-15* - It was not clear why the Construction Activity Management Plan was listed twice (AQ-14 and AQ-15). One Construction Activity Management Plan should be prepared to address all aspects of the project.
- *Mitigation Monitoring Program Long Term Emissions page 8* - The following statement is made. "The proposed project exceeds the APCD threshold of 25 lbs/day for ROG and NOx long-term emissions; therefore, the applicant is required to include all of the APCD standard mitigation measures, all feasible discretionary mitigation measures, and maybe off-site mitigation measures". It should be noted that off site mitigation will be required to reduce the operational emissions to below the District's Tier II threshold. Off-site mitigation is addressed in mitigation measure AQ-21.

Black Ranch Resort Development

August 20, 2002

Page 2 of 2

- *Mitigation Monitoring Plan AQ-18* - The following items were listed in the Comprehensive Air Quality Mitigation Plan but were omitted from the list included in AQ-18. These items should be added to AQ-18.
 - Increase number of bicycle routes/lanes.
 - Implement a lunch-time shuttle to reduce single occupant vehicle trips if applicable.
 - Provide on-site childcare facility (public and private).

Please feel free to call me at 781-5912 with any further questions regarding these comments.

Sincerely,



Melissa A. Guise
Air Quality Specialist

MAG/sll

cc: David Dixon, SLOAPCD, Enforcement Division
Sheila Brown, Governor's Office of Planning and Research, State Clearinghouse

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**Preliminary Biological Resources Assessment
for the
Black Ranch Property**

San Luis Obispo County, California

Prepared for:

RRM Design Group
3701 South Higuera Street
San Luis Obispo, California 93401

Prepared by:

Gaylene Tupen
Biologist

June 1998

INTRODUCTION

Project Background

The Black Ranch property and proposed project area is located along the northern side of Highway 46, just east of the existing city limits of Paso Robles, in San Luis Obispo County. The 356 - acre subject property consists primarily of open grassland and woodland associations, much of which is currently used for livestock grazing. Dry Creek, an ephemeral tributary to Huerhuero Creek, traverses the northern portion of the property in a north-east to south-west trending direction. At the time of the field surveys of the subject property, Dry Creek was primarily comprised of a dry channel with alternating sand and cobble substrate. Topography of the area surrounding the subject property consisted of gently rolling hills, with near-vertical embankments in various locations along the Dry Creek channel. Surrounding land uses include agriculture to the southwest, northwest, and north, and recreational facilities (Hunter Ranch) to the south.

Future activities proposed for the Black Ranch property include re-zoning of the site to Parks and Open Space in order to accommodate potential development of a destination resort. The resort is expected to include, but not be limited to, lodging accommodations, a golf course, and a wine visitor center. In addition, some areas are expected to be retained as open space as part of the development project.

Study Objectives

The primary objective of this biological resources assessment was to determine the potential presence of special-status species and important communities within the Black Ranch property. Because the characteristics and configuration of proposed development is uncertain at this time, an impact assessment was not conducted as part of this study. However, for those sensitive communities and species either confirmed as occurring on site through the field surveys or expected to occur based on the presence of suitable habitat, a variety of preliminary measures have been recommended to avoid and reduce potential impacts to these resources wherever feasible.

METHODS

Literature Survey

A search of the California Department of Fish and Game's (CDFG's) Natural Diversity Data Base (CNDDDB) was conducted to identify known and reported occurrences of special-status plant and animal species and sensitive habitats within the Paso Robles and Estrella U.S. Geological Survey (USGS) 7.5-minute quadrangle areas. Special-status species are defined in Table 1. The results of the CNDDDB search were reviewed to determine reported occurrences of various special-status species in the vicinity of the Black Ranch property (CNDDDB, 1997). The California Native Plant Society's (CNPS's) *Inventory of Rare and Endangered Vascular Plants of California* (Skinner and Pavlik, 1994) was also reviewed to provide information on rare plants that were expected occur within the vicinity of the study

area. Vegetation/habitat types were classified based on CNPS's *A Manual of California Vegetation* (Sawyer and Keeler-Wolf, 1995), and CDFG's *Preliminary Descriptions of the Terrestrial Natural Communities of California* (Holland, 1986). Other literature consulted as part of this analysis of sensitive biological resources of the study area included the Draft EIR for the Airport Master Plan & Airport Area Specific Plan (QUAD Consultants, 1991).

Field Surveys

Field surveys of the Black Ranch property were conducted on May 26 and June 4, 1998. The surveys consisted of visiting all habitat types of the subject property and evaluating their potential to support special-status species. Focused surveys for special-status plant and wildlife species were not conducted as part of this study; however, all observations of special-status plants of wildlife, or evidence of their occurrence, were documented.

All existing burrows encountered during the site survey, in various locations throughout the property, were assessed to determine if the dimensions met size requirements for San Joaquin kit fox (kit fox) dens. In general, kit fox burrows are taller than wide, often have vertical scratch marks on the ceiling of the entrance, and have gentle to moderately steep ramps and tunnels. Burrow entrances range from 11 to 21 cm at the narrowest horizontal width and must be narrow enough (less than 21 cm) at some point to exclude coyotes and other predators (O'Farrel, 1983). The area surrounding each den with dimensions suitable for kit fox was investigated for additional evidence of species occurrence. Evidence of the presence of kit fox typically consists of scat, tracks, and the presence of prey remains.

Burrows observed within various locations on the Black Ranch property were also surveyed for evidence of other special-status wildlife, including burrowing owl and American badger. Typical dimensions for American badger burrows range from 20 to 30 cm in width, and are generally elliptical in shape (Murie, 1974). Distinctive burrow characteristics for burrowing owl are not known; however, given the size of burrowing owl, burrow entrances were expected to be at least 7 cm in diameter. This species frequently occupies California ground squirrel burrows and often cohabitates with it (Zeiner et al., 1990). For the purposes of the field surveys, evidence of occurrence of burrowing owl was presumed to consist of the presence of molted feathers, cast pellets, prey remains, or excrement near a burrow entrance.

Table 1. Definitions of Special-Status Species

Special-Status Plant Species
<ul style="list-style-type: none">• Plants listed or proposed for listing as threatened or endangered under the Federal Endangered Species Act (50 CFR 17.12 for listed plants and various notices in the Federal Register for proposed species).• Plants that are Category 1 candidates for possible future listing as threatened or endangered under the Federal Endangered Species Act (55 CFR 6184, February 21, 1990).• Plants that meet the definitions of rare or endangered species under the CEQA (<i>State CEQA Guidelines</i>, Section 15380).• Plants considered by the CNPS to be "rare, threatened, or endangered" in California (Lists 1B and 2 in Skinner and Pavlik, 1994).• Plants listed by CNPS as plants about which we need more information and plants of limited distribution (Lists 3 and 4 in Skinner and Pavlik, 1994).• Plants listed or proposed for listing by the State of California as threatened or endangered under the California Endangered Species Act (14 CCR 670.5).• Plants listed under the California Native Plant Protection Act (California Fish and Game Code 1900 et seq.).• Plants considered sensitive by other federal agencies (i.e., U.S. Forest Service, Bureau of Land Management), state and local agencies or jurisdictions.• Plants considered sensitive or unique by the scientific community or occurring at the limits of its natural range (<i>State CEQA Guidelines</i>, Appendix G).
Special-Status Wildlife Species
<ul style="list-style-type: none">• Animals listed or proposed for listing as threatened or endangered under the Federal Endangered Species Act (50 CFR 17.11 for listed animals and various notices in the Federal Register for proposed species).• Animals that are Category 1 candidates for possible future listing as threatened or endangered under the Federal Endangered Species Act (54 CFR 554).• Animals that meet the definitions of rare or endangered species under the CEQA (<i>State CEQA Guidelines</i>, Section 15380).• Animals listed or proposed for listing by the State of California as threatened and endangered under the California Endangered Species Act (14 CCR 670.5).• Animal species of special concern to the CDFG (Remsen, 1978 for birds; Williams, 1986 for mammals).• Animal species that are fully protected in California (California Fish and Game Code, Section 3511 [birds], 4700 [mammals], and 5050 [reptiles and amphibians]).

EXISTING CONDITIONS

Natural Vegetation and Wildlife Habitats

Several vegetation types and plant associations were identified within the Black Ranch property and are illustrated in Figure 1. However, the following discussion focuses primarily on those plant communities located within the subject property that are considered sensitive or have potential to provide important habitat for various special-status species identified later in this report. Major plant communities identified within the Black Ranch property and characterized in this section include: oak woodland/oak savanna, annual grassland, riverwash/seasonal drainage, open water/pond, riparian forest/ woodland, seasonal freshwater marsh, and ruderal/disturbed. Various species of wildlife that would be expected to occur in association with habitat types of the immediate project area are also identified as part of each description.

Oak Woodland / Oak Savanna

Oak woodland /oak savanna occurs as the dominant plant community on the Black Ranch property. This habitat type varies substantially in structure from open savanna to dense woodland with shrubby understories. Species composition also varies throughout the property, depending on a variety of factors. Although both valley oak (*Quercus lobata*) and blue oak (*Q. douglasii*) occur throughout the subject property; blue oak occurs as the dominant tree within woodland habitats .

The density of blue oaks on site and composition of the understory varies depending on local environmental conditions such as slope, aspect, soils, moisture conditions, and microclimatic features. However, in general blue oak is dense and forms a closed canopy woodland on the mesic north-facing slopes and canyon bottoms and a more open woodland on south facing slopes and dry hillside areas.

Within the Black Ranch property, oak savanna consists of an open-canopied habitat dominated by valley oak, or occasionally by blue oak, with a non-native grass understory. Individual trees may reach 115 feet in height and canopy cover is usually less than 20 to 40 percent. These communities typically occur on deep, well-drained alluvial soils.

Understory of oak woodland and oak savanna communities is typically dominated by a number of herbaceous species considered characteristic of grassland habitats (refer to following section). Various species that occur as part of the understory in more dense woodland areas include the following: Miner's lettuce (*Claytonia perfoliata*), bedstraw (*Galium aparine*), hummingbird sage (*Salvia spathacea*), elegant clarkia (*Clarkia unguiculata*), popcorn flower (*Plagiobothrys nothofulvus*), delphinium (*Delphinium* spp.), and sanicles (*Sanicula* spp.).

Oak woodland vegetation is important for animal cover, providing vertical and horizontal structure, nesting sites for birds, and shelter for numerous mammals. Woodland areas also support numerous insects and small mammals that are important food sources for other vertebrates in the area. Snags provide excellent roosts for raptors, provide nesting cavities

for owls, kestrels, woodpeckers, nuthatches, wrens, chickadees, and bluebirds. Fallen logs become homes for invertebrates that are important food sources for numerous vertebrate species including mice, lizards, snakes, and birds. Environmental conditions are moderated by the woodland vegetation, reducing wind and temperature variation compared to grassland and coastal scrub communities.

Oak woodland within the Black Ranch property supports a wide diversity of wildlife due to the availability of important habitat features such as nesting sites, escape and thermal cover, food, and dispersal corridors. Common and characteristic species of wildlife observed or expected to occur within the project area include mammals such as western gray squirrel (*Sciurus griseus*), black-tailed deer (*Odocoileus hemionus columbiana*), raccoon (*Procyon lotor*), striped skunk (*Mephitis mephitis*), dusky-footed wood rat (*Neotoma fuscipes*), and gray fox (*Urocyon cinereoargenteus*). Evidence of coyote (*Canis latrans*), bobcat (*Lynx rufus*), and deer was found during the field surveys primarily in areas associated with the Dry Creek corridor. Birds observed in blue oak woodland of the project area included yellow-billed magpie (*Pica nuttalli*), bushtit (*Psaltriparus minimum*), acorn woodpecker (*Melanerpes formicivorus*), California towhee (*Pipilo crissalis*), Stellar's jay (*Cyanocitta stelleri*), northern flicker (*Colaptes cafer*), western bluebird (*Sialia mexicana*), red-tailed hawk (*Buteo jamaicensis*), and red-shouldered hawk (*Buteo lineatus*). Reptiles that may occur within this habitat type include gopher snake (*Pituophis melanoleucus*), western fence lizard (*Sceloporus occidentalis*), and common kingsnake (*Lampropeltis sirtalis*).

Annual Grassland

Within the Black Ranch property, annual grassland is extensive and forms a mosaic with oak woodland and oak savanna communities in the area. Although a few scattered trees and shrubs occur in association with annual grassland in the vicinity, this community is primarily dominated by non-native grasses, native wildflowers and weedy annual forbs. Characteristic species of annual grassland habitat observed at the subject property included wild oat (*Avena* spp.), soft chess (*Lolium multiflorum*), lupine (*Lupinus* spp.), redstem filaree (*Erodium cicutarium*), burclover (*Medicago hispida*), bedstraw, bromes (*Bromus* spp.), rattail fescue (*Vulpia myuros*), foxtail barley (*Hordeum murinum*), milk-thistle (*Silybum marianum*), vetches (*Vicia* spp.), mustard (*Hirschfeldia incana*), wine cups (*Clarkia purpurea*), blue hyacinth (*Dichelostemma capitatum*), tarplant (*Hemizonia pentactis*), fiddleneck (*Amsinckia* spp.), and plantain (*Plantago* spp.)

Grasslands often provide important habitat features for a variety of wildlife species. Raptors, such as red-tailed hawk, white-tailed kite (*Elanus caeruleus*), barn owl (*Tyto alba*), and American kestrel (*Falco sparverius*), commonly use open grassland areas extensively for foraging purposes, while species such as western meadowlark (*Sturnella neglecta*) use open grassland areas for nesting. Reptiles which commonly breed within grassland habitats include western fence lizard, gopher snake, and western rattlesnake (*Crotalus viridis*). Mammals known to occur in grassland habitats of the project area, based on the presence of "sign", include deer, coyote, bobcat, Botta's pocket gopher (*Thomomys bottae*), and brush rabbit (*Sylvilagus bachmani*). In addition, various species of bat including Townsend's western big-eared bat (*Plecotus townsendii townsendii*) and pallid bat (*Antrozous pallidus*) may forage on a nocturnal basis within this habitat type.

Riverwash / Seasonal Drainage

Riverwash/seasonal habitat can be characterized as seasonally flooded areas that convey a high volume of water for a short duration, and highly ephemeral drainages that typically contain surface water only during, and immediately following, a storm event. Throughout the dry season, riverwash/seasonal drainage communities typically contain no surface water. Substrate within this habitat consists primarily of a mixture of recently-deposited fine silt and sand, with occasional inclusions of cobbles. Vegetation coverage within these habitat types is usually minimal, due to the scouring action that is created by the "flashy" stream flow conditions. Plants typically establish following the conclusion of the typical rainfall season, and periods of high runoff. Characteristic plant species may include goldenrod (*Solidago* sp.), a variety of scattered grasses and forbs characteristic of annual grassland and ruderal habitats. These habitats are considered Waters of the U.S., and are regulated by the Corps and CDFG.

Within the Black Ranch property, riverwash/seasonal drainage habitat was observed in association with the channel of Dry Creek, and its associated ephemeral tributaries. A 1990 wetland inventory conducted by QUAD Consultants for the Airport Area Specific Plan, identified the channel of Dry Creek as riverine, intermittent, streambed, temporarily flooded wetland, based on the U.S. Fish and Wildlife's wetland classification system (Cowardin et al., 1979).

Vegetation coverage observed within these communities was highly variable, and dependent on such factors as soil moisture conditions and amount of overstory vegetation. Moist areas located within the Dry Creek channel contained a variety of characteristic wetland species including, rushes (*Juncus* spp.), knotweed (*Polygonum* sp.), sedges (*Carex* spp.), saltgrass (*Distichlis spicata*), docks (*Rumex* spp.), alkali heliotrope (*Heliotropium curassavicum*), and rabbitsfoot grass (*Polypogon* sp.). During the field survey, much of the channel of Dry Creek was devoid of vegetation or contained a variety of scattered grasses and weedy annual forbs, such as bird's-foot trefoil (*Lotus corniculatus*). Larger trees including blue oak, valley oak, and Fremont cottonwood (*Populus fremontii*) were observed outside of, but directly adjacent to, the channel of Dry Creek.

At the time of the field surveys, these communities appeared to provide minimal habitat for resident species of wildlife due primarily to the low amount of in-channel and riparian vegetative coverage. However, this habitat type is expected to be used on a frequent basis by wildlife during movement between habitats, as evidenced by the abundant wildlife "sign" observed within the channel. Portions of Dry Creek and its associated tributaries may provide seasonal habitat for various amphibians and reptiles, when surface water is present throughout the rainy season.

Open Water / Pond

Open Water/ Pond habitat of the Black Ranch property consists of three artificial ponds that function primarily as livestock watering reservoirs. These existing ponds impound water that flows along north-west trending drainages, throughout the typical rainy season. Open water/

pond habitat are primarily un-vegetated, with the exception of occurrence of some green algae. Within the Black Ranch property, wetland communities such as freshwater marsh and riparian forest occur along the perimeters of open water areas. Although these ponds were created artificially, the open water areas and associated wetland habitats (i.e., freshwater marsh) are considered Waters of the U.S. and are regulated by the Corps.

Open water/ pond habitat is expected to support a variety of aquatic and semi-aquatic species, such as bullfrog (*Rana catesbeiana*), Pacific chorus frog (*Pseudacris regilla*), Western toad (*Bufo boreas*), bluegill (*Lepomis macrochirus*), smallmouth bass (*Micropterus dolomieu*), and green sunfish (*Lepomis cyanellus*). In addition, a variety of migratory waterfowl would be expected to frequent open water/ pond habitats of the Black Ranch property. During the field survey, several mallards (*Anas platyrhynchos*) were observed in the eastern-most pond located on site. Open water areas located within the Black Ranch property may also function as an important source of water to larger transient or resident mammals, such as coyote, deer, and bobcat.

Riparian Forest/Woodland

Riparian forest communities are characterized as tall, open, broad-leaved winter-deciduous riparian forests that occur along frequently overflowed lands located along rivers and streams, or in areas where the water table is at or near the ground surface (Holland, 1986). The dominant species within these communities require moist, bare mineral soil for germination and establishment (Holland, 1986). The structure and composition of riparian forest can vary substantially throughout the length of a drainage. These communities are considered sensitive by CDFG and frequently qualify as wetland based on the USFWS wetland classification system (Cowardin et al., 1979), and may fall under Corps jurisdiction.

Within the Black Ranch property, riparian forest/woodland communities occurred in various locations along Dry Creek and its associated tributaries, and around the perimeters of the existing ponds. The dominant species within these communities was yellow willow (*Salix lasiandra*). Understory vegetation observed within Riparian forest communities of the property included a variety of species considered characteristic of seasonal freshwater marsh communities.

Various species of wildlife that would be expected to occur in or frequent the limited riparian forest/woodland communities of the Black Ranch property, include a variety of migratory songbirds, belted kingfisher (*Ceryle alcyon*), black phoebe (*Sayornis nigricans*), and mourning dove (*Zenaidura macroura*).

Seasonal Freshwater Marsh

Seasonal freshwater marshes usually occur in nutrient-rich mineral soils that are saturated on a seasonal basis. These communities can occur in areas of slow-moving or stagnant shallow water along streams, or in areas where the low-permeability of existing soils results in the prolonged presence of surface water or saturated soils. Within the Black Ranch property, seasonal freshwater marsh occurs along the persistent, moist areas of existing drainages, around the perimeters of ponds, and in low topographic areas that contain standing water or

moist soils due to retention of rainfall/runoff. Species compositions of these habitats varied substantially and included such species as cattails (*Typha* spp.), docks, bulrush (*Scirpus* spp.), spikerush (*Eleocharis* sp.), rabbitsfoot grass, knotweed, and rushes. These habitats are considered Waters of the U.S., and are regulated by the Corps and CDFG.

Species of wildlife that would be expected to occur in or frequent seasonal freshwater marsh habitat of the property include a variety of amphibians such as Pacific chorus frog, bullfrog, and Western toad. Numerous species of wildlife that occur in more upland habitats such as oak woodland, would be expected to frequent freshwater marsh habitats for foraging purposes. A variety of shorebirds, such as the killdeer (*Charadrius vociferus*) observed near the existing reservoirs, are expected to frequent freshwater marsh habitats of the Black Ranch property.

Ruderal/ Disturbed

Ruderal vegetation (disturbed habitat) has been significantly disturbed by agriculture, construction, and other land-clearing activities. Ruderal habitats generally occur in abandoned agricultural fields and livestock pastures, along roadsides, and in other areas experiencing severe ground surface disturbance. Characteristic uncultivated species observed in ruderal habitats of the Black Ranch property include non-native species such as wild mustard (*Brassica nigra*), wild radish (*Raphanus sativus*), bird's-foot trefoil, sweet fennel (*Foeniculum vulgare*), milk thistle (*Silybum marianum*), and star thistle (*Centaurea solstitialis*). In addition, a variety of non-native grasses typical of annual grasslands occur in association with ruderal habitats. Within the Black Ranch property, ruderal habitats were observed along access routes located near the existing ponds, adjacent to currently developed areas, and in existing horse pasture located in the southern portion of the site. Due to the low species diversity of these plant communities, ruderal habitats tend to provide minimal habitat value for wildlife.

Special-Status Species

Special-status species are plants and animals that are either listed as endangered or threatened under the Federal or California Endangered Species Act, considered rare under the California Native Plant Protection Act, or considered rare (but not legally listed) by resources agencies, professional organizations, and the scientific community. For the purposes of this preliminary biological resources assessment, special-status species are defined in Table 1.

The Federal Endangered Species Act (ESA) of 1973 (50 CFR 17) provides legal protection for plant and animal taxa that are in danger of extinction, and classified as either threatened or endangered under the ESA. The ESA requires Federal agencies to make a finding on all Federal actions, including the approval by an agency of a public or private action, such as the issuance of a Corps permit under Section 404 of the Clean Water Act, as to the potential to jeopardize the continued existence of any listed species potentially impacted by the action. Section 9 of the ESA prohibits the "take" of any member of a species listed as threatened or endangered.

Based on information obtained through the CNDDDB search and review of existing literature, a preliminary list was compiled of special-status species that have potential to occur in the vicinity of the Black Ranch property. Table 2 identifies the name and legal status of special-status species either reported from the general vicinity of the Black Ranch property or those species expected to occur on site based on the presence of suitable habitat. The distribution, preferred habitats, and any known occurrences of various identified special-status species are described below.

Table 2. Special-Status Plants and Animals Reported From the Vicinity of the Black Ranch Property

Scientific Name	Common Name	Legal Status ^a Federal/State/Other
Plants		
<i>Antirrhinum ovatum</i>	Oval-leaved snapdragon	--/--/CNPS 4
<i>Astragalus macrodon</i>	Salinas milk vetch	--/--/CNPS 4
<i>Calycadenia villosa</i>	Dwarf calycadenia	--/--/CNPS 1B
<i>Chorizanthe douglasii</i>	Douglas' spineflower	--/--/CNPS 4
<i>Lasthenia leptalea</i>	Salinas valley goldfields	--/--/CNPS 4
<i>Navarretia nigelliformis</i> ssp. <i>radians</i>	Shining navarretia	--/--/CNPS 1B
Wildlife		
<i>Vulpes macrotis mutica</i>	San Joaquin kit fox	FE/ST/--
<i>Perognathus inornatus inornatus</i>	San Joaquin pocket mouse	SSC/CSC/--
<i>Taxidea taxus</i>	American badger	--/CSC/--
<i>Circus cyaneus</i>	Northern harrier	--/CSC/--
<i>Elanus caeruleus</i>	White-tailed kite	--/ * /--
<i>Aquila chrysaetos</i>	Golden eagle	--/CSC/--
<i>Athene cunicularia</i>	Burrowing owl	--/CSC/--
<i>Lanius ludovicianus</i>	Loggerhead shrike	SSC/CSC/--

Status Codes:

Plants:

SSC: Federal Species Special Concern - Former candidate species.

California Native Plant Society (CNPS):

List 1B = rare, threatened, or endangered in California and elsewhere.

List 4 = plants of limited distribution - a watch list.

Wildlife:

ST: State-listed threatened

CSC: California State Species of Special Concern

FE: Federal-listed endangered

SSC: Federal Species of Special Concern - Former candidate species.

*: Species that are biologically rare, restricted in distribution, declining throughout their range, or closely associated with a habitat that is declining throughout California.

Special-Status Plants

During the site surveys, observation of special-status plant species was limited to a small area of Salinas Valley goldfields observed in a moderately dense woodland area, located in the southwestern portion of the site. No other special-status plants were observed during the limited field surveys. However, other special-status species have potential to occur in isolated locations

that were not observed during the field survey. The potential for occurrence and preferred habitat for each species is described below.

Oval-leaved snapdragon

Oval-leaved snapdragon occurs on open hillsides often in gypsum-rich clay soils or in washes from Cottonwood Pass to Caliente Mountain and in areas north of the Carrizo Plain. There have been no documented occurrences of this species in the immediate vicinity of the subject property. However, during a 1990 survey, individuals of this species were observed in an area located approximately 1.5 miles southeast of the Black Ranch property, on Chandler Ranch. Within the Black Ranch property, this species has potential to grow in oak woodland or grassland habitats that contain poorly-drained soils with clay or hardpans.

Salinas milk vetch

Salinas milk vetch occurs mostly on fertile but dry soils in the Paso Robles area, within the Temblor Range, and on Caliente Mountain. Although this species was not observed at the Black Ranch property, it has potential to occur in annual grassland and oak woodland habitats located on site.

Dwarf calycadenia

Dwarf calycadenia is reported from hard-packed gravelly or sandy soil from just north of Creston. Although the Black Ranch property occurs north and outside of its known range, it is expected that dwarf calycadenia could potentially occur on site in annual grassland or oak woodland habitats.

Douglas' spineflower

Douglas' spineflower occurs from Nacimiento River to Carrizo Plain including areas located east of Paso Robles. Based on the presence of suitable habitat, in the form of annual grassland and oak woodland, it is expected that this species could occur on site.

Salinas valley goldfields

Salinas valley goldfields occur on sandy soils in the Santa Lucia Mountains west of Paso Robles and from Atascadero to the northern end of the La Panza Range. This species has been documented from the vicinity of Nacimiento Reservoir at Cantinas Creek and Bee Rock, as well as a population farther east on Camp Roberts along the Nacimiento River (Oyler 1991). During a field survey conducted as part of this study, Salinas Valley goldfields were observed within an opening in the canopy of moderately dense oak woodland, located in the southwestern portion of the site.

Shining navarretia

Shining navarretia occurs on open hillsides from San Miguel to Templeton and eastward to Cholame. Due to the presence of suitable habitat in the form of oak woodland and annual grassland, it is expected that this species has potential to occur on site.

Special-Status Wildlife

San Joaquin kit fox

The Black Ranch property occurs within the known range of San Joaquin kit fox and provides potentially suitable denning and foraging habitat in the form of grassland and oak woodland habitat. The closest documented sightings of San Joaquin kit fox in the general vicinity of the Black Ranch property occurred in 1989, in oak savanna habitat located 0.5 miles south of the Paso Robles airport, and in 1990, within open grassland located approximately 1.5 miles southwest of the subject property (QUAD Consultants, 1990). The occurrence of these historic sightings within the general vicinity of the subject property, the presence of suitable habitat, location of the property within the known range for the species, and the presence of a substantial prey base within the immediate vicinity, indicates that the potential for occurrence of this species on site can be considered high. Several burrows were observed in various locations throughout the property, which met size criteria for kit fox dens, and are thereby considered "potential" dens by the USFWS. During the field surveys potential dens were observed within the northeastern portion of the site and adjacent to the Dry Creek channel, and in moderately dense oak woodland areas located in the southwestern portion of the site.

During a site visit associated with this study, potential kit fox "sign" was observed at a small culvert located at the junction of a seasonal drainage and Dry Creek, in the northeastern portion of the site. Observation of the potential den during a subsequent site visit, indicated that the den was occupied by gray fox. It is expected that the observed den was used as a natal den due to the presence of two young gray fox.

San Joaquin Pocket Mouse

The Black Ranch property occurs within the known range of San Joaquin pocket mouse. The closest documented occurrence of this species, however, is from just south of San Miguel. No burrows exhibiting characteristics associated with San Joaquin pocket mouse were observed within the limited field surveys. Suitable habitat for San Joaquin pocket mouse, in the form of annual grassland and blue oak woodland with friable soils, occurs in various locations throughout the Black Ranch property. However, due to absence of evidence of occurrence on site and the closest documented occurrence being located a substantial distance from the property, the potential for occurrence of this species within the area is expected to be low.

American Badger

American badger occurs primarily in open grassland and scrub habitats. Typical dimensions for American badger burrows range from 20 to 30 cm in width, and are generally elliptical in shape (Murie, 1974). No evidence of the occurrence of this species was observed during field surveys, however, this species has potential to occur in open, oak woodland areas and annual grassland habitats of the property.

Northern Harrier

The northern harrier is a common transient and winter visitor within much of San Luis Obispo County (Audubon Society, 1984). This species nests on the ground near freshwater and salt marshes. Open areas, such as grasslands and coastal scrub, provide foraging habitat for this

species. Freshwater marsh habitats associated with the ponds located on site, has potential to provide limited nesting opportunities for northern harrier.

White-tailed Kite

The white-tailed kite occurs in coastal and valley lowlands, usually associated with agricultural lands and open fields, throughout California. Nests are constructed in treetops with dense foliage. This species is considered an uncommon resident of most of San Luis Obispo County. Suitable nesting habitat is limited within the subject property; however, substantial foraging habitat occurs in the vicinity.

Golden Eagle

The golden eagle (*Aquila chrysaetos*) is an uncommon, permanent resident and migrant throughout California and San Luis Obispo County. Habitats include oak woodlands, coastal scrub communities and open grassland. Nests are constructed on cliffs and in large trees in open areas. Suitable nesting habitat for this species may occur in dense woodland areas of the subject property.

Burrowing Owl

The burrowing owl is documented as an uncommon to common permanent resident of the interior valleys and plains of San Luis Obispo County, and an uncommon winter visitor to the coastal regions of the county (Audubon Society, 1984). This species is primarily associated with extensive grassland habitats and agricultural areas, and frequently occupies California ground squirrel burrows (Zeiner et al., 1990). Distinctive burrow characteristics for burrowing owl are not known; however, given the size of burrowing owl, burrow entrances were expected to be at least 7 cm in diameter. Circumstantial evidence of burrowing owl occurrence within an area typically consists of the presence of molted feathers, cast pellets, prey remains, or excrement near a burrow entrance. Although suitable habitat for burrowing owl occurs throughout oak woodland and grassland communities of the project area, no evidence of the occurrence of this species was observed during the field surveys. It is expected, however, that burrowing owl has potential to occur in open areas of the Black Ranch property.

Loggerhead Shrike

Loggerhead shrike occurs in lowlands and foothills throughout most of California. This species is considered a common resident of most of San Luis Obispo County (Audubon Society, 1984). Preferred habitats for loggerhead shrike include woodland, chaparral, coastal scrub, and grassland with perches such as fences, posts, and scattered trees. Suitable foraging habitat for this species occurs throughout the Black Ranch property. During the field survey, two individuals of this species were observed within the northern-most portion of the site, in open grassland habitat.

Important Wildlife Habitats

"Migration Corridors" are connections between habitats areas that allow for physical and genetic exchange between animal populations. These connections may be local, such as between foraging and nesting or denning areas, or regional in nature. As undisturbed habitats become

surrounded by urban development, they become isolated from neighboring areas. Migration corridors provide critical linkage between islands of open space, isolated foraging and breeding habitats, and other important wildlife use areas. Drainage courses and adjacent upland habitats typically function as migration corridors providing some water and cover for animals. Within the study area, important migration corridors occur in association with Dry Creek, and areas of well-developed oak woodland located along canyons and seasonal drainages. The presence of tracks, well-developed trails, and scat, indicated that these corridors may be used on a frequent basis by deer, coyote, bobcat, gray fox, and possibly kit fox.

POTENTIAL EFFECTS ON BIOLOGICAL RESOURCES

Natural Vegetation and Wildlife Habitats

Potential development of portions of the Black Ranch property could result in direct removal of oak woodland and grassland associations, and a permanent loss of wildlife habitats. Individual blue oak and valley oak trees preserved along the fringes of proposed development areas could be impacted by direct or indirect disturbance during construction activities or ongoing maintenance activities. Trees preserved on-site could be adversely impacted if the tree's dripline area (the area beneath the tree's canopy plus 5 to 15 feet) is compromised by filling, excavation, or compaction. Grading, cutting, or trenching within the tree dripline could damage the tree's root system and result in detrimental effects.

Individual oak trees remaining following project development could be adversely affected by landscaping and irrigation activities. Over-watering in the vicinities of native oaks can lead to increased risk of root disease and result in decay and mortality of individual trees on site.

Wetlands/Waters of the U.S.

Stream channels, such as that of Dry Creek, and associated streambanks are specifically addressed by the CDFG Code Section 1600-1603 (Streambed Alteration Agreement) and are considered Waters of the U.S. Waters of the U.S., including stream channels, associated tributaries, and wetlands, fall under the jurisdiction of the Corps under Section 404 of the Clean Water Act.

Section 404 of the Clean Water Act prohibits discharge of dredged or fill material into Waters of the U.S. without a permit from the Corps, or authorization under one or more existing General (Nationwide) Permits. Delineation of wetlands and other waters of the U.S., including seasonal drainages, is required to determine acreage affected by dredge spoil or fill disposal. Wetlands are defined in the Corps of Engineers Wetlands Delineation Manual (Environmental Laboratory, 1987) as:

"Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas."

Waters of the U.S. within the Black Ranch property include Dry Creek, and associated seasonal drainages and riparian habitats, and all ponds and associated freshwater marsh and riparian

communities. Disturbance of Waters of the U.S., as defined by the Corps, through direct placement of fill during project construction would require a permit from the Corps prior to commencement of construction. In addition, disturbance of any portion of Dry Creek or its associated tributaries or wetland habitats would require authorization from CDFG prior to implementation of identified activities.

Depending on the extent and configuration of development, project-related activities could result in loss of or disturbance to Waters of the U.S., including Dry Creek and its tributaries, and on-site ponds and associated wetland vegetation. Potential activities involving grading and development of impervious surfaces on site could also result in indirect, adverse effects on wetland habitats associated with Dry Creek, and areas located farther downstream in association with Huerhuero Creek. Impacts can be reduced or avoided by implementing measures identified in the following section – **RECOMMENDED MITIGATION.**

Special-Status Plants

Based on results of the literature and field surveys, it was determined that several special-status plant species have potential to occur on site. In addition, occurrence of Salinas Valley goldfields was confirmed during a survey of the southwestern portion of the site. Development and/or disturbance of all or portions of the property would therefore have potential to result in disturbance or removal of individual of the species previously mentioned. Direct impacts to special-status plants can be avoided, however, through implementation of appropriate mitigation measures discussed in the subsequent section.

Special-Status Wildlife

Proposed development within grassland and oak woodland areas of the Black Ranch property could result in a loss of habitat considered suitable for, and potentially occupied by kit fox. Local losses of potential kit fox habitat can further contribute to the ongoing loss of kit fox habitat within the region, thereby resulting in indirect impacts to the species. In addition, proposed development activities could result in direct adverse impacts to San Joaquin kit fox occupying potential dens on site, through direct mortality. However, direct "take" of San Joaquin kit fox can be avoided through implementation of pre-construction surveys and avoidance measures described in the following section - **RECOMMENDED MITIGATION.**

Suitable habitats for American badger and burrowing owl also occur throughout the Black Ranch property, in association with grassland and oak woodland habitats. Although no direct evidence of occurrence of these species was observed during the field survey, it is expected that proposed development could result in a loss of suitable habitat for, and possibly direct impacts to, these species.

Although no raptor nests were observed during the field survey, larger oak trees of the Black Ranch property provide important roosting habitat and could provide nesting habitat for a variety of raptors that use adjacent grassland habitats for foraging. If potential on-site development activities occur at any time during the typical breeding season for raptors (usually February 15 to September 15 breeding season), take of active raptor nests within trees located within proposed development areas could occur. Take of any active raptor nest due to proposed development activities within the subject property is prohibited under Fish and Game Code Section 3501.5

RECOMMENDED MITIGATION

A variety of measures have been recommended for the purposes of avoiding or minimizing potential adverse impacts to sensitive resources, and are described below. Specific measures will be implemented as determined to be appropriate by the lead resource agencies. Potential mitigation for the loss of habitat considered suitable for, and potentially occupied by San Joaquin kit fox, based on USFWS and CDFG standard recommendations, is later identified in the section titled - **Replacement Habitats**.

Protective / Avoidance Measures

Oak Woodland/ Oak Savanna

To minimize impacts to oak woodland/oak savanna habitat on site resulting from loss of individual trees and woodland associations, the following measures should be implemented both prior to, and during construction activities.

- To the extent feasible, design future proposed development to avoid disturbance and fragmentation of moderately dense areas of oak woodland, located along seasonal drainages and canyons of the site, and preserve as permanent conservation area. Areas recommended for avoidance are identified in Figure 2. These areas should be avoided for the primary purpose of maintaining existing wildlife movement corridors. At a minimum, development should be located outside of the outer edges of the associated driplines of oaks located along these identified corridors.
- Relocate through transplanting all identified oak saplings from proposed development areas to suitable unaffected habitats. To the extent feasible, all saplings should be relocated to adjacent appropriate areas located along the margins of existing oak woodland, and areas proposed for preservation.
- Replace all individual oak trees that cannot be transplanted and that are proposed for removal with in-kind specimens at a 4 to 1 replacement ratio, or at a ratio approved by both the City of Paso Robles and CDFG. Potential oak woodland mitigation sites should closely reflect the characteristics of areas located on site which have naturally occurring woodland expansion.

To minimize impacts to remaining oaks and oak woodland habitat, in areas that are not expected to be directly affected by proposed development, implement the following measures both prior to, and during construction activities, as appropriate.

- Immediately prior to construction, retain a qualified biologist or landscape specialist, to clearly mark the dripline area of each tree located outside of, but adjacent to proposed development areas. The dripline area of each tree should be marked with highly visible flagging or construction fencing.

- During construction avoid all soil disturbance, compaction, and grading activities within, and adjacent to, the associated dripline of each tree.
- Following project implementation, avoid the use of artificial irrigation in areas located adjacent to or within the associated driplines of all remaining oak trees. Revegetate disturbed areas located near remaining oaks, with appropriate native vegetation.

Waters of the U.S./Wetlands

To the extent feasible, all development should be avoided in the immediate vicinities of identified wetland habitats and other areas that qualify as Waters of the U.S. Where development will likely occur in the vicinity of an area that potentially qualifies as wetland, a delineation should be conducted by a qualified biologist to determine the precise boundaries and total area of the affected wetland. Generally, development would be limited to areas located a minimum of 50 to 100 feet from the upland extent of the wetland boundary by resource agencies. The distance of the wetland setback should take into account the existing functions and values associated with the identified wetland, and the level of intensity of the proposed adjacent development. Well in advance of the implementation of proposed development activities, the applicant should contact the Corps and CDFG to determine their responsibilities with regard to permit acquisition and mitigation requirements.

In the event that some disturbance of Waters of the U.S. will likely occur as part of any proposed development on the property, the applicant should submit the wetland delineation results and associated development plans to the Corps and apply for appropriate permits. If the proposed project will likely affect any of the seasonal drainages or associated riparian habitat located on site, a streambed alteration agreement must be obtained through the CDFG. Associated permits will likely set forth conditions for development and site restoration, particularly following activities involving disturbance to Dry Creek and/or its tributaries.

To avoid or minimize any indirect impacts to Waters of the U.S, including Dry Creek and associated drainages, and other wetland habitats located downstream of potential development areas, implement the following measures:

- Implement erosion control measures during construction and limit construction activities to dry weather to avoid impacts to wetland habitats related to increased runoff and sedimentation from development areas at the subject property .
- During construction, avoid all cleaning and refueling of equipment and vehicles within the vicinities of existing drainages and associated wetland habitat, as well as in the vicinities of the ponds.
- Following completion of construction-related activities, immediately revegetate all disturbed and barren areas with appropriate native vegetation to reduce the risk of erosion and sedimentation in adjacent drainage areas.

Special-Status Plants

To avoid potential impacts to special-status plants of the Black Ranch property, a qualified botanist should be retained to conduct pre-construction surveys for rare plants in those areas proposed for development on site. These surveys should be conducted within the appropriate flowering periods for the various species reported from the area and identified previously within this report. If rare plants are identified within areas that will likely be disturbed by development, CDFG should be immediately contacted to determine the applicant's responsibilities regarding appropriate mitigation. Depending on the species at issue, mitigation may include the following:

- Retain and stockpile the topsoil in affected areas that contain rare plants, to preserve the seed bank. The stockpiled topsoil would then be relocated to appropriate, unaffected habitats located within the property.
- Where appropriate, transplant affected individual rare plants to appropriate, unaffected habitats located within the property.

In addition, proposed development should be avoided in the moderately-dense oak woodland area where Salinas Valley goldfields were observed during the field survey (southwestern portion of site).

Special-Status Wildlife

San Joaquin Kit Fox

A variety of measures have been recommended to ensure avoidance of direct impacts to individuals of the species, associated with proposed development of the property. Many of these measures are considered standard requirements for avoidance of impacts to kit fox, as specified in the USFWS' *Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance* (USFWS 1997). The following measures describe various actions to be taken prior to construction-related activities, to determine the status of kit fox within proposed development areas and required remedial actions in the event that individuals are identified within the immediate project vicinity.

- Immediately prior to commencement of construction activities, retain a qualified biologist (USFWS - approved) to perform pre-construction surveys to monitor all potential kit fox dens located within a proposed development area. The pre-construction surveys should cover all proposed new development areas containing oak woodland or grassland habitats. Because kit fox can often be highly transient, pre-construction surveys should be conducted not more than 30 days in advance of surface disturbance in any particular area. Because the proposed project would likely be developed in phases, a new pre-construction survey should be conducted in association with each major development phase.
- During the pre-construction survey, all evidence of habitat utilization within proposed development areas should be documented by the selected biologist. All dens

encountered within the survey areas which meet size criteria for kit fox should be identified with wire pin flags and clearly mapped.

- All dens located within areas proposed for development should be monitored by the biologist, as appropriate, to determine each dens' current utilization status by kit fox.
- All kit fox dens determined not to be actively utilized should be hand excavated under the direct supervision of a qualified biologist and immediately filled to prevent re-entry.
- Any dens determined to be occupied by adults or kit fox pups must be documented and immediately reported to the appropriate agencies. Dens occupied by adult foxes will be hand excavated by the qualified biologist and the fox will be allowed to escape unharmed. The excavation will then immediately be filled. If during monitoring a den is found to be occupied by kit fox pups, thereby qualifying as a "natal den", the den must be left undisturbed until the young have naturally dispersed. If development proceeds in the immediate vicinity prior to dispersal of the young, an exclusion zone of 150 feet radius shall be established around the entrance to the den. No development and construction activities will be allowed within the exclusion zone established by the qualified biologist, until approval to proceed is provided by USFWS. Specific measures for avoiding impacts to kit fox should be identified and implemented through consultation with USFWS and CDFG, and according to the current protocols for kit fox protection.
- Upon completion of the pre-construction surveys, the qualified biologist shall provide a supplemental report to the appropriate representatives of the USFWS and CDFG.

Regardless of the results of the pre-construction surveys, the following measures should be implemented throughout the duration of proposed construction activities to prevent direct impacts to transient individuals that frequent the subject property and individuals utilizing dens within proposed development areas. Implementation of the following measures will also serve to avoid or minimize disturbance of other important wildlife species that may frequent the area during construction.

- A worker education briefing should be conducted for all employees involved with construction of the proposed facilities. The educational briefing should include identification of species of concern within the project vicinity, project mitigation requirements, reporting responsibilities, and penalties for failure of compliance.
- The boundaries of all work areas should be delineated by flagging or other clearly visible marking to minimize surface disturbance associated with possible vehicle straying.
- Project-related vehicles should observe a 20 mile per hour speed limit throughout the property to reduce the potential for impacting kit fox.
- All construction should be restricted to within daylight hours to avoid affecting kit fox nocturnal activities.

- All holes or trenches should be thoroughly inspected for trapped animals prior to filling. In the event that a trapped or injured kit fox is discovered during construction, the USFWS field office in Ventura and local CDFG representative should be immediately notified.
- Because kit foxes are attracted to den-like structures such as pipes, all construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored within work areas for overnight periods should be thoroughly inspected for kit foxes before the pipe or culvert is buried, capped, or moved. If a kit fox is found inside of a pipe, the pipe should not be moved until representatives of USFWS and CDFG are notified.
- All food-related trash items should be disposed of in closed containers and removed from associated construction zones located at the property, at least once per week.
- No firearms or pets should be allowed on site during construction activities.

Nesting Raptors

To avoid take of active raptor nests, necessary tree removals should be conducted between September 15 and February 15, outside of the typical breeding season. If any tree removals are determined to be necessary between February 15 and September 15, a raptor nest survey should be conducted by a qualified biologist prior to project implementation and any planned tree removals. The results of the raptor nest survey should be submitted to CDFG, via a letter report. If the biologist determines that a tree slated for removal is being used by raptors for nesting at that time, construction in the vicinity of the nest should be avoided until after the young have fledged from the nest and achieved independence. If no nesting is found to occur in the vicinity of proposed development, construction activities could then proceed.

Replacement Habitats

Preferred mitigation for the loss of habitats for a special-status species such as kit fox typically involves the replacement of habitats lost or modified by project development at a replacement ratio determined appropriate by CDFG and USFWS. Therefore, it is expected that resource agencies will likely require that an area of suitable habitat at least equal to the amount of habitat being disturbed or modified by development, be set aside on a permanent basis as conservation area to mitigate for the loss of suitable San Joaquin kit fox habitat. The conservation area would likely serve as replacement habitat for other special-status species potentially occurring on site including, American badger and burrowing owl. General criteria for selection of a conservation area are identified below:

- The conservation area can be located within the Black Ranch property or at an appropriate off-site location, approved by the resource agencies.
- The conservation area should be at least equal to the total area proposed for development or modification on site.

- Identified replacement habitat should be contiguous and would preferably be located along an existing wildlife movement corridor (i.e., dry creek, dense areas of oak woodland). Areas recommended for avoidance due to their value as wildlife migration corridor (refer to Figure 2), should be included as part of the conservation area located on site.
- Replacement habitats should reflect the general characteristics of those habitats proposed for disturbance.
- Some passive activities may be allowed within the conservation area (i.e., above grade golf cart crossings and/or pedestrian trails and view access points), as well as maintenance of a limited number of access roads. Allowable uses within the conservation area would be subject to approval by CDFG and USFWS.

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Black Ranch Annexation Biological Resources Assessment

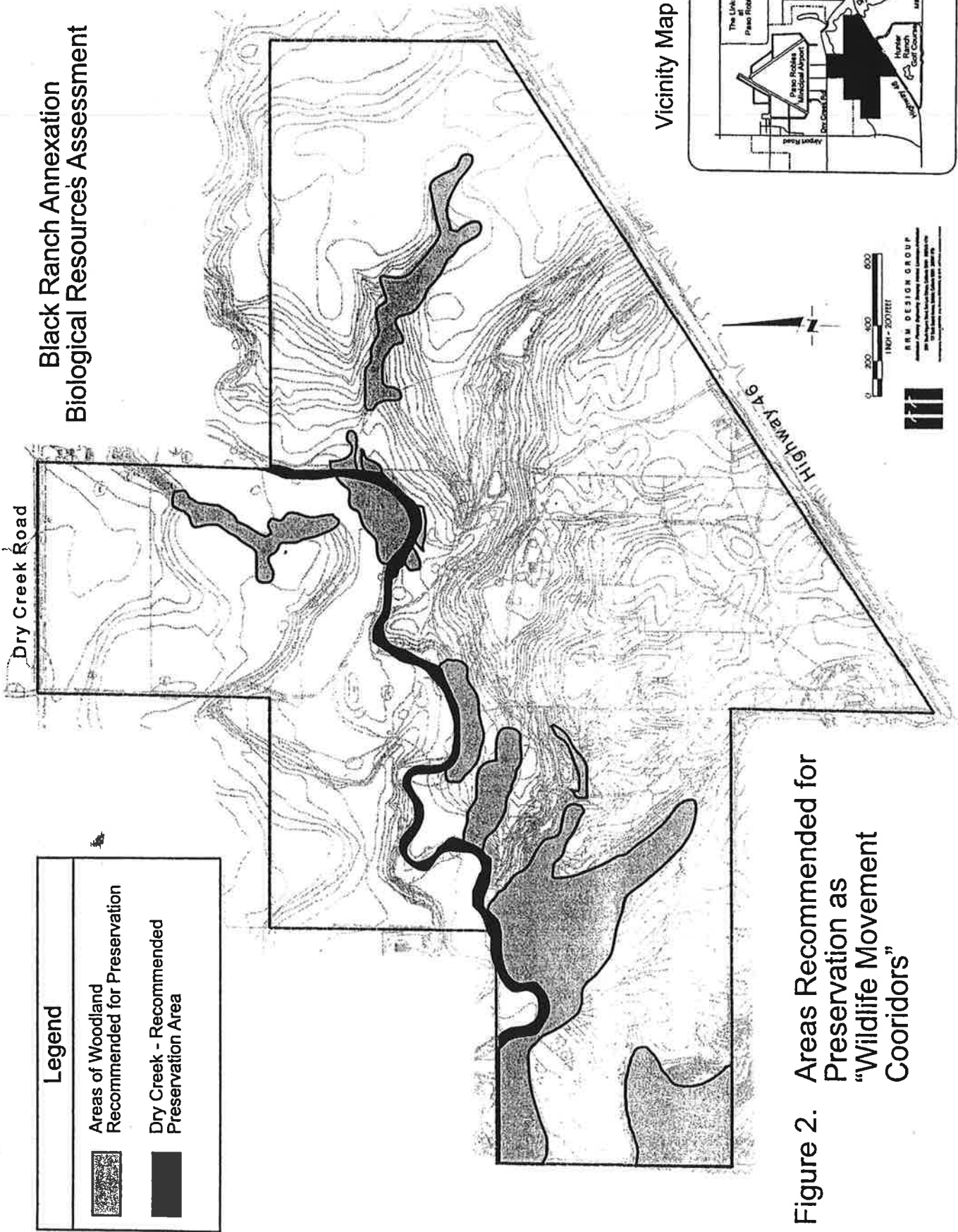
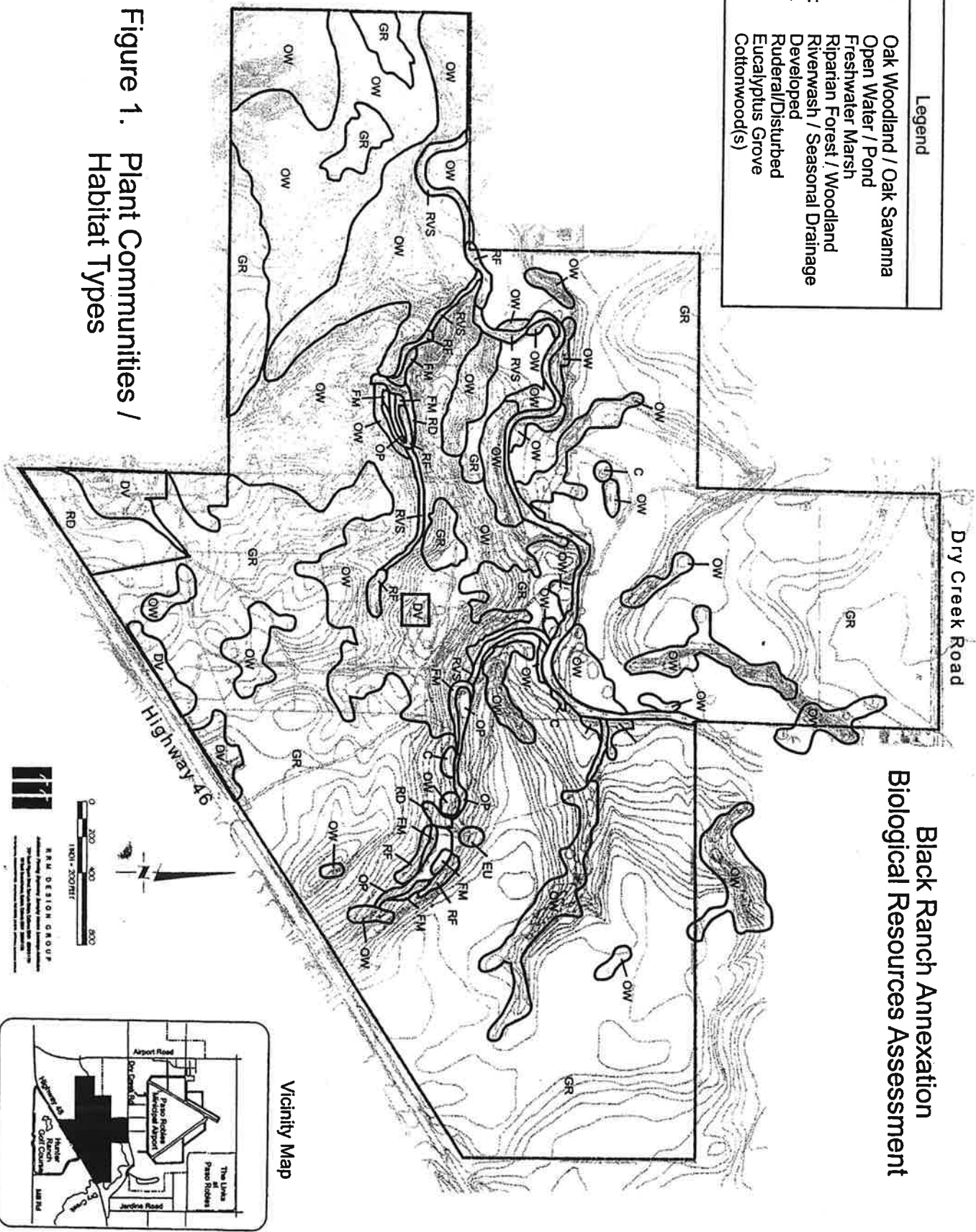


Figure 2. Areas Recommended for Preservation as "Wildlife Movement Corridors"

Legend	
OW:	Oak Woodland / Oak Savanna
OP:	Open Water / Pond
FM:	Freshwater Marsh
RF:	Riparian Forest / Woodland
RVS:	Riverwash / Seasonal Drainage
DV:L	Developed
RD:	Ruderal/Disturbed
EU:	Eucalyptus Grove
CW:	Cottonwood(s)

**Black Ranch Annexation
Biological Resources Assessment**



**Figure 1. Plant Communities /
Habitat Types**

Black Ranch Mitigation and Monitoring Program

The following mitigation measures and monitoring shall be implemented in order to mitigate the impacts to a level of less than significant. The City and the Applicant shall delegate the authority and environmental quality assurance to a third-party Environmental Monitor (EM). The EM shall monitor and report on the activities where noted in the table below. The EM may be one or more individuals depending on the specialty involved.

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS			
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame Monitoring Agency
Water Quality	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff	W-1: Detention and storm drain systems will be channeled to storm drainage facilities to be reviewed and approved by the City Engineer. Storm water discharge from the proposed development will be designed to maintain historic flows to offsite channels.	Prior to issuance of construction or grading permits Public Works (PW) Dept.
Water Quality	Drainage under oak trees	W-2: Drainage patterns will not be altered to allow new runoff to drain into the drip line of existing oak trees.	Prior to issuance of construction or grading permits Public Works (PW) Dept.
Water Quality	Discharge of storm water into surface waters.	W-3: Submit final grading and drainage plans for review and approval by the City Engineer.	Prior to issuance of construction or grading permits Public Works (PW) Dept.
Water Quality	Impacts to groundwater quality	W-4: Applied Irrigation rates will utilize local evapotranspiration information to reduce the amount of groundwater infiltration by irrigation water.	Monitor after construction and submit a report after the first year of operation EM
Water Quality	Impacts to groundwater quality	W-5: Fertilizer will not be applied within 24 hours before a predicted rainfall to minimize leaching by rainwater,	Monitor after construction and EM

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS			
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame
			Monitoring Agency
Water Quality	Impacts to groundwater quality	<p>and soils will be tested and monitored for nutrient levels to ensure fertilizer application rates match uptake rates by turf grasses. Such monitoring shall be conducted annually by the course management and the results made available to the Agricultural Commissioner.</p> <p>W-6: The Applicant will develop an Integrated Golf Course Management Program (IGCMP) with specific guidelines on the use of pesticides and fertilizers to reduce the use of chemical applications that could contaminate the ground water. Pest Management practices to be addressed in the Plan are:</p> <ul style="list-style-type: none"> • Anti-back siphoning devices shall be used in application equipment to reduce the potential for pesticide contamination of groundwater of other water supplies during irrigation. • Slow release organic fertilizers will used wherever possible as an effective biological method to help suppress many turf pathogens. • The use of bacterial additives to enhance nitrogen uptake and improve turf disease resistance shall be considered when these become commercially available. • All chemicals shall be applied by or under the supervision of a trained, licensed operator following all manufacturer's directions for proper chemical/fertilization application and container disposal procedures. • To act as a buffer between turf and natural vegetation zones, a band of native perennial grass shall be established adjacent to the short rough. This buffer will filter the non-point source fertilizer runoff. 	<p>submit a report after the first year of operation</p> <p>Prior to issuance of any grading or construction permits for the golf course</p>
			Planning Division

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS			
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame
			Monitoring Agency
Air Quality	Asbestos Mitigation	<p>AQ-1: Prior to demolition, the Applicant shall notify the San Luis Obispo APCD of all facility demolitions at least ten working days before asbestos stripping or removal work begins. The information required for the notification must be reported a "Notification of Demolition and Renovation" form that can be obtained at the APCD. This form includes demolition of facilities that may contain no asbestos.</p>	Prior to any demolition permits
Air Quality	Asbestos Mitigation	<p>AQ-2: Prior to demolition, the Applicant shall implement the following steps:</p> <ul style="list-style-type: none"> • The facility shall be inspected and building materials sampled and tested to determine the presence or absence of asbestos. • Samples must be tested by an EPA accredited analytical laboratory, and with an approved EPA asbestos method to determine the percent of asbestos present. • Inspections and testing shall be completed and results obtained by the owner, operator or contractor prior to the start of the renovation or demolition. • Test results shall be kept on site and made available to the APCD upon request. 	Prior to any demolition permits
Air Quality	Asbestos Mitigation	<p>AQ-3: Prior to and during demolition, the Applicant shall assure the following steps are completed:</p> <ul style="list-style-type: none"> • Demolition may begin when it is determined that asbestos containing materials are not present, and all notification of the National Emission Standard for Hazardous Air Pollutants (NESHAP) are met. 	Prior to and during demolition permits

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS			
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame
			Monitoring Agency
Air Quality	ROG and NOX	<ul style="list-style-type: none"> If asbestos containing materials are present, demolition activity must be done in compliance with the NESHAP. If proof of inspection and building material testing cannot be provided to the APCD, demolition activity will be required to stop. Activity may resume only with APCD approval. Upon receipt of an adequate "Notification of Demolition and Renovation", the APCD will issue a written Authorization Letter and fee invoice to the owner/operator of the facility. The primary purposes of the Authorization Letter are to verify project start and end dates, to assure that all parties are aware of APCD and EPA requirements, and that those requirements will be adhered to during the abatement. 	Prior to issuance of any construction permits
Air Quality	ROG and NOX	<p>AQ-4: If it is determined that portable engines and portable engines will be utilized, the contractor shall contact the County of San Luis Obispo APCD and obtain a permit to operate portable engines prior to commencement of construction. Portable equipment shall be registered in the statewide portable equipment registration program.</p> <p>AQ-5: Oxidizing soot filters shall be installed on 5 pieces of equipment expected to see the heaviest use or which have the highest emissions during construction. Where catalytic soot filters are determined to be unsuitable, the owner shall install and use an oxidation catalyst.</p>	Prior to issuance of any construction permits

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS			
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame
			Monitoring Agency
		<ul style="list-style-type: none"> Suitability is to be determined by an authorized representative of the filter manufacturer, or an independent California Licensed Mechanical Engineer who will submit, for APCD approval, a Suitability Report identifying and explaining the particular constraints to using the preferred catalytic soot filter. Installations must be conducted according to manufacturer's specifications. Proof that the catalytic soot filters have been installed must be provided to the APCD. The APCD shall be notified prior to operation of the equipment with the filters installed. Acceptable proof may be in the form of visual inspection by APCD staff or submittal of filter serial numbers and photos of the equipment with the installed filters. 	
Air Quality	ROG and NOX	AQ-6: Use of reformulated diesel fuel. All off-road and portable diesel powered equipment shall be fueled exclusively with CARB certified diesel.	Prior to issuance of any construction permits
Air Quality	ROG and NOX	AQ-7: Use 1996 or newer heavy duty off road vehicles to the extent feasible.	Prior to issuance of any construction permits
Air Quality	ROG and NOX	AQ-8: Use of Caterpillar pre-chamber diesel engines (or equivalent) together with proper maintenance and operation to reduce emissions of oxides of nitrogen (NOX).	Prior to issuance of any construction permits
			APCD
			APCD
			APCD

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	
			Monitoring Agency	
Air Quality	ROG and NOX	AQ-9: Electrify equipment where possible.	Prior to issuance of any construction permits	APCD
Air Quality	ROG and NOX	AQ-10: Maintain equipment in tune per manufacturer's specifications, except as otherwise required above.	Prior to issuance of any construction permits	APCD
Air Quality	ROG and NOX	AQ-11: Install catalytic converters on gasoline-powered equipment.	Prior to issuance of any construction permits	APCD
Air Quality	ROG and NOX	AQ-12: Use Compressed Natural Gas (CNG) or propane on-site mobile equipment instead of diesel-powered equipment.	Prior to issuance of any construction permits	APCD
Air Quality	PM10 Mitigation	<p>AQ-13: A Dust Control Plan shall be prepared and approved by the APCD prior to commencement of construction activities. The Dust Control Plan shall include the following:</p> <ul style="list-style-type: none"> • Important elements of this plan would be detailed dust mitigation measures and provisions for monitoring for dust during construction. • The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering or other measures as necessary to prevent transport of dust off-site. Their duties shall include holiday 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 construction commencement. 	Prior to issuance of any construction permits	APCD

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS			
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame
			Monitoring Agency
		<ul style="list-style-type: none"> Compliant handling procedures shall be identified. A daily dust observation log shall be filled out as necessary. Reduce the amount of the disturbed area where possible. 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 shall be used whenever possible. All dirt stock-pile areas shall be sprayed daily as needed. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. Vehicle speed for all construction vehicles shall not 	

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS			
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame
			Monitoring Agency
		<p>exceed 15 mph on any unpaved surface at the construction site.</p> <ul style="list-style-type: none"> All trucks hauling dirt, sand, or other loose materials are to be covered or shall maintain at least two feet of free board (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114. This measure has the potential to reduce PM₁₀ emissions by 7-14%. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site. This measure has the potential to reduce PM₁₀ emissions by 40-70%. 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 when feasible. This measure has the potential to reduce PM₁₀ emissions by 25-60%. All PM10 mitigation measures required shall be shown on grading and building plans. 	
Air Quality	Construction Activity Mitigation	AQ-14: A Construction Activity Management Plan shall be prepared and submitted to the APCD for approval prior to implementation.	Prior to issuance of any construction permits APCD
Air Quality	Off-Site Mitigation	AQ-15: A Construction Activity Management Plan shall be prepared and submitted to the APCD for approval prior to implementation.	Prior to issuance of any construction permits APCD
Air Quality	Long Term Emissions	The proposed project exceeds the APCD threshold of 25 lbs/day for ROG and NO _x long-term emissions; therefore, the Applicant is required to include all of the APCD Standard Mitigation Measures, all feasible Discretionary Mitigation Measures, and maybe Off-Site	Prior to issuance of any construction permits APCD

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS			
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame
			Monitoring Agency
Air Quality	Long Term Emissions	<p>Mitigation Measures. The mitigation measures included in this section shall be enforced in order to mitigate the project to the extent feasible.</p> <p>AQ-16: Standard Site Design Measures</p> <ul style="list-style-type: none"> • Orient buildings toward streets with convenient pedestrian and transit access; parking in rear. • Provide preferential carpool parking. • 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 	Prior to issuance of any construction permits
Air Quality	Long Term Emissions	<p>AQ-17: Standard Energy Efficiency Measures</p> <ul style="list-style-type: none"> • Increase walls and attic insulation beyond Title 24 requirements. • Orient buildings to maximize natural heating and cooling. 	Prior to issuance of any construction permits
Air Quality	Long Term Emissions	<p>AQ-18: Discretionary Transportation Demand Management Measures</p> <ul style="list-style-type: none"> • Establish an Employee Trip Reduction Program (ETRP) to reduce employee commute trips (i.e. carpooling incentives, vanpools, and transit subsidies). • Employ a transportation/rideshare coordinator. • Implement a rideshare coordinator. • Provide for shuttle/mini bus service for employees, special events, airport/Amtrak services, and services to downtown Paso Robles and Atascadero. • Provide on-site banking (ATM) and postal services, if applicable. • Provide guests with electric carts 	Prior to issuance of any construction permits

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS			
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Monitoring Agency
			Time Frame
		<ul style="list-style-type: none"> Provide pedestrian pathways throughout the facility. Cater to group activities using buses and vanpools. Provide on-site eating, refrigeration, vending for employees. 	
Air Quality	Long Term Emissions	<p>AQ-19: Discretionary Energy Efficient Measures</p> <ul style="list-style-type: none"> Shade tree planting along southern exposures of buildings to reduce summer cooling needs. Shade tree planting in parking lots to reduce evaporative emissions from parked vehicles. Use built-in energy efficient appliances, where applicable. Use double-paned windows. Use sodium parking lot and streetlights. Use energy efficient interior lighting. Electrify golf carts. 	Prior to issuance of any construction permits APCD
Air Quality	Long Term Emissions	<p>AQ-20: Off-site Mitigation Measures</p> <ul style="list-style-type: none"> Operational emissions in excess of 25 lbs/day after implementation of long-term mitigation measures shall be offset at a rate of \$8,500/ton. Incorporation of an ETRP and electric golf carts may be used to reduce the total emissions. 	Prior to issuance of any construction permits APCD
Air Quality	Compensatory Off-Site Mitigation	<p>AQ-21: To fully mitigate the impacts from this project, off-site mitigation is required. The District determined that \$15,000 of off-site mitigation is required to be incorporated into the project. Placement of the required \$15,000 off-site mitigation fee into a specified program or in-lieu fee agreement shall be in place prior to commencement of construction activities. The following is a list of potential options that could be funded:</p>	Prior to issuance of any construction permits APCD

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS			
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame
			Monitoring Agency
		<ul style="list-style-type: none"> Clean transit bus replacement/repower Public transit service Vanpool programs/subsidies Rideshare assistance programs Clean school bus replacement/repower/filters 	
Transportation/ Circulation	Increased vehicle trips or traffic congestion.	T-1: Construct left turn channelization to accommodate the eastbound SR 46 Northbound Project driveway left turn movement. Left turn channelization shall be constructed to full Caltrans Standards.	Verify on plans PW Dept
Transportation/ Circulation	Increased vehicle trips or traffic congestion.	T-2: Construct eastbound SR 46 acceleration lane to accommodate the southbound project driveway to eastbound SR 46 left turn movement. The acceleration lane shall be constructed to full Caltrans Standards.	Verify on plans PW Dept
Transportation/ Circulation	Increased vehicle trips or traffic congestion.	T-3: Construct right turn channelization to accommodate the westbound SR 46 to northbound project driveway right turn movement. Right turn channelization shall be constructed to full Caltrans standards.	Verify on plans PW Dept
Transportation/ Circulation	Rail, waterborne or air traffic impacts.	T-4: Record an avigation easement prior to recordation of any final maps or issuance of any building permits.	Verify on plans PW Dept
Biology	Special Status Plants	B-1: A qualified botanist shall be retained by the Applicant to conduct pre construction surveys for rare plants in those areas proposed for development on site. These surveys shall be conducted within the appropriate flowering periods for the various species reported from the area and identified previously within this report. If rare plant populations are identified within areas likely disturbed by development, the Applicant shall redesign	Prior to issuance of any construction permits and monitoring by the EM one (1) and two (2) years after Planning Division shall ensure that a botanist is obtained to do the surveys. Should translocation or replanting be required, the EM shall prepare a report one (1) year and two (2) years

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS			
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame
			Monitoring Agency
Biology	Special Status Animals	<p>the project to avoid the rare plant populations. Should avoidance not be feasible, the Applicant shall translocate the species to other suitable habitat within the project vicinity in accordance with the recommendations of the qualified botanist. Should translocation not be possible, new species shall be planted at a ratio of 2:1. The translocated or replanted species shall be monitored for a period of two (2) years. Replanting shall be performed so that there is no net loss of species after the two (2) year period.</p> <p>B-2: Immediately prior to commencement of construction activities, retain a qualified biologist (USFWS-approved) to perform pre-construction surveys to monitor all potential Kit Fox dens located within a proposed development area. The pre-construction surveys shall cover all proposed new development areas containing oak woodland or grassland habitats. Because Kit Fox can often be highly transient, pre-construction surveys shall be conducted not more than 30 days in advance of surface disturbance in any particular area. Because the proposed project would likely be developed in phases, a new pre-construction survey shall be conducted in association with each major development phase.</p> <p>B-3: During the pre-construction survey, all evidence of habitat utilization within proposed development areas shall be documented by the selected biologist. All dens encountered within the survey areas that meet size criteria for Kit Fox shall be identified with wire pin flags and clearly mapped.</p>	<p>translocation/ replanting</p> <p>Prior to issuance of any construction permits</p> <p>Prior to issuance of any construction permits</p>
		after the translocation or replanting.	Planning Division
Biology	Special Status Animals		Planning Division

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS			
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame
			Monitoring Agency
Biology	Special Status Animals	B-4: All dens located within areas proposed for development shall be monitored by the biologist, as appropriate, to determine each den's current utilization status by Kit Fox.	Prior to issuance of any construction permits
Biology	Special Status Animals	B-5: All Kit Fox dens determined not to be actively utilized shall be hand excavated under the direct supervision of a qualified biologist and immediately filled to prevent re-entry.	Prior to issuance of any construction permits
Biology	Special Status Animals	B-6: Any dens determined to be occupied by adults or Kit Fox pups must be documented and immediately reported to the appropriate agencies. Dens occupied by adult fox will be hand excavated by the qualified biologist after the Kit Fox has left the den. The excavation will then immediately be filled. If during monitoring a den is found to be occupied by Kit Fox pups, thereby qualifying as a "natal den", the den must be left undisturbed until the young have naturally dispersed. If development proceeds in the immediate vicinity prior to dispersal of the young, an exclusion zone of 150 feet radius shall be established around the entrance to the den. No development and construction activities will be allowed within the exclusion zone established by the qualified biologist, until approval to proceed is provided by USFWS. Specific measures for avoiding impacts to Kit Fox shall be identified and implemented through consultation with USFWS and CDFG, and according to the current protocols for Kit Fox protection.	Prior to issuance of any construction permits
Biology	Special Status Animals	B-7: Upon completion of the pre-construction surveys, the qualified biologist shall provide a supplemental	Prior to issuance of any

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS			
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame
		report to the appropriate representatives of the USFWS and CDFG.	Monitoring Agency
Biology	Special Status Animals	B-8: A worker education briefing shall be conducted for all employees involved with construction of the proposed facilities. The educational briefing shall include identification of species of concern within the project vicinity, project mitigation requirements, reporting responsibilities, and penalties for failure of compliance.	construction permits Prior to construction EM
Biology	Special Status Animals	B-9: The boundaries of all work areas shall be delineated by flagging or other clearly visible marking to minimize surface disturbance associated with possible vehicle straying.	During construction EM
Biology	Special Status Animals	B-10: Project-related vehicles shall observe a 20-mile per hour speed limit throughout the property to reduce the potential for impacting Kit Fox.	During construction EM
Biology	Special Status Animals	B-11: All construction shall be restricted to within daylight hours to avoid affecting Kit Fox nocturnal activities.	During construction EM
Biology	Special Status Animals	B-12: All holes or trenches shall be thoroughly inspected for trapped animals prior to filling. In the event that a trapped or injured Kit Fox is discovered during construction, the USFWS field office in Ventura and local CDFG representative shall be immediately notified.	During construction EM
		B-14: All food-related trash items shall be disposed of in closed containers and removed from associated	

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS			
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame
			Monitoring Agency
		construction zones located at the property at least once per week.	
Biology	Special Status Animals	B-15: No firearms or pets shall be allowed on site during construction activities.	During construction EM
Biology	Special Status Animals	B-16: Thirty eight (38) acres of permanent improvements shall be mitigated at a 3:1 ratio consistent with the Kit Fox Habitat Evaluation Form (attached). This would require that 114 acres be provided for habitat. This shall be mitigated on site through protection of 114 acres of open space and travel corridors on the Black Ranch property. The property owner shall improve, maintain, and protect the habitat through an easement or other agreement.	Prior to issuance of any construction permits Planning Division in consultation w/CDFG & USFW
Biology	Nesting Raptors	B-17: To avoid take of active Raptor nests, necessary tree removals shall be conducted between September 15 and February 15, outside of the typical breeding season. If any tree removals are determined to be necessary between February 15 and September 15, a Raptor nest survey shall be conducted by a qualified biologist prior to project implementation and any planned tree removals. The results of the Raptor nest survey shall be submitted to CDFG, via a letter report. If the biologist determines that a tree slated for removal is being used by Raptors for nesting at that time, construction in the vicinity of the nest shall be avoided until after the young have fledged from the nest and achieved independence. If no nesting is found to occur in the vicinity of proposed development, construction activities could then proceed.	

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS			
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame
			Monitoring Agency
Biology	Oak Trees	B-18: No more than 10% of the existing oak trees or canopy may be removed by development of the site.	Prior to any construction permits Planning Division
Biology	Oak Trees	B-19: Prior to construction, identify oak saplings from the development area that are suitable for relocation. To the extent feasible, saplings should be relocated to adjacent appropriate areas located along the margins of existing oak woodland, and areas proposed for preservation.	Prior to any construction permits Planning Division
Biology	Oak Trees	B-20: Replace all individual oak trees that cannot be transplanted and that are proposed for removal at a ratio of 4 to 1 replacement ratio, or as otherwise required by the City of Paso Robles Oak Tree Ordinance. Potential oak woodland mitigation sites should closely reflect the characteristics of areas located on site that have naturally occurring woodland expansion.	Prior to any construction permits Planning Division
Biology	Oak Trees	B-21: Prior to construction, retain a qualified biologist or landscape specialist to clearly mark the drip line area of each tree located outside of, but adjacent to, proposed development areas. The drip line of each tree shall be marked with highly visible flagging or construction fencing.	Prior to construction Planning Division
Biology	Oak Trees	B-22: During construction, avoid all soil disturbance, compaction, and grading activities within, and adjacent to, the associated drip line of each tree.	During construction EM
Biology	Oak Trees	B-23: Artificial irrigation shall not be located adjacent to or within the drip line of existing oaks trees. Revegetate and/or mulch disturbed areas located near remaining oaks with appropriate native vegetation or mulch.	Prior to construction and at final inspection Planning Division

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS			
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame
			Monitoring Agency
		B-25: During construction, avoid all cleaning and refueling of equipment and vehicles within the vicinities of existing drainages and associated wetland habitat, as well as in the vicinities of the ponds.	During construction EM
		B-26: Following completion of construction-related activities, immediately revegetate all disturbed and barren areas with appropriate native vegetation to reduce the risk of erosion and sedimentation in adjacent drainages.	Prior to final approval after construction Planning Division
		B-27: In development areas, a qualified biologist shall conduct a wetland delineation to determine precise boundaries and total area of affected wetland. Development shall be limited to areas located a minimum of 50 to 10 feet from the upland extent of the wetland boundary. The distance of the wetland setback shall take in to account the existing functions and values associated with the identified wetland, and the level of intensity of the proposed adjacent development.	Prior to construction EM
Biology	Vernal Pools	B-28: Prior to construction, the Applicant shall map, via topographic survey at one foot contours, the entirety of the watershed of Pool #1 and Pool #2. The noted watershed boundary shall be clearly flagged in the field so that the watershed margin is plainly visible.	Prior to construction permits Planning Division
Biology	Vernal Pools	B-29: The Applicant shall reconfigure the proposed golf course to avoid the mapped VPFS watershed required to be delineated. If complete avoidance is not possible or is infeasible, development within the mapped watershed area shall be minimized to the extent practicable. Residual impacts to the mapped watershed	Prior to construction permits Planning Division

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS (those remaining after minimization) shall be mitigated in coordination with the USFWS.	Time Frame	Monitoring Agency
Biology	Vernal Pools	B-30: During site development, heavy equipment shall not be allowed to operate within the noted and flagged watershed. Equipment refueling and/or washing shall not be allowed within 50 feet of the flagged boundary.	During construction	EM
Biology	Vernal Pools	B-31: Herbicide and/or pesticide use shall not be allowed within the delineated watershed boundary.	Submit monitoring report one (1) year and two (2) years after construction	EM
Biology	Vernal Pools	B-32: Prior to final project design, and over the next two years after construction, the Applicant shall retain a qualified, permitted VPFS biologist to conduct surveys for this species and other sensitive crustaceans within vernal pool habitats of the Black Ranch property. The final project design shall be modified accordingly following the noted surveys and dependent upon their results.	Prior to construction permits and submit a monitoring report one (1) year and two (2) years after construction	Planning Division prior to construction and EM for subsequent monitoring
Aesthetics	Affect a scenic vista or scenic highway.	AE-1: Grading shall be designed to balance on-site. All slopes visible from the highway shall be contoured and graded to appear natural. All slope and graded areas shall be re-planted with native species, grasses, or other landscaping, as indicated on the proposed landscape plan.	Prior to construction	Planning Division

Draft

CEQA Addendum

Initial Study/Mitigated Negative Declaration

SCH No. 2002071124

Entrada de Paso Robles Resort

Assessor Parcel Numbers: 025-431-044,
025-431-045, and 025-431-049

Location: 3830 State Route 46 East
Paso Robles, CA

Planned Development Amendment 01-0125,
Conditional Use Permit Amendment 01-017,
Lot Line Adjustment PR 13-0102, and
Oak Tree Removal Permit 14-003

Applicant:

Kenneth H. Hunter, III
P.O. Box 13550, Bakersfield
CA 93389

Lead Agency:

City of Paso Robles, 1000 Spring Street
Paso Robles, CA 93446

Staff Contact:

Susan DeCarli (805) 237-3970
sdecarli@prcity.com

I. Introduction

A. Determination

This document constitutes an Addendum to the July 2002 Initial Study/Mitigated Negative Declaration (2002 MND) originally prepared for the Black Ranch Resort Development Project (Planned Development 01-025 & Conditional Use Permit 01-017), hereafter referred to as the "Original Project". This Addendum evaluates whether modifications to the Original Project, now known as the Entrada de Paso Robles Resort, hereafter referred to as the "Proposed Project", would result in any new or substantially more adverse significant effects or require any new or modified mitigation measures not identified in the 2002 MND. (See 2002 MND and Mitigation Monitoring Program, Attachment 1.)

Similar to the Original Project, the Proposed Project would consist of development of a resort, conference center, ancillary amenities, and outdoor commercial recreation uses. The Proposed Project differs from the Original Project in that the outdoor commercial recreation uses are proposed to be changed from a 27-hole golf course to an outdoor garden-themed park tourist attraction, "Discovery Gardens", and a 3-hole golf academy. (See Entrada de Paso Robles Master Site Plan, Attachment 2)

As verified in this Addendum, the Proposed Project would reduce the scope of the development footprint (site disturbance) from that of the Original Project. The MND prepared for the Original Project indicates 140 total acres would be developed. 102 acres would be used for the golf course and 38 acres for buildings. An additional 114 acres were to be set aside for open space/habitat area.

The Proposed Project would include development of 132 acres compared to the 140 acres to be developed under the Original Project. Further, the Proposed Project's development footprint would be condensed to a much smaller area of overall site disturbance. The proposed area for buildings would be approximately 12 acres, with the remaining 120 acre area to be used for the 3-hole golf academy, garden-park, and landscaping. The remaining property (approximately 253 acres) would be left undisturbed, and may be used as an option to mitigate for loss of habitat, to be determined through collaboration with the affected agencies. The Proposed Project would therefore result in less impacts due to site disturbance, and would be environmentally superior to the Original Project. Further, the development plan for the Original Project was designed so that the open space area was fragmented into smaller pockets of land that was to surround the golf course and resort. Therefore, the plan was designed so that the habitat area would not remain intact or connected, which diminishes environmental benefits, and would essentially disturb the entire 386-acre property. (See Black Ranch Master Plan, Attachment 3) In contrast, habitat connectivity would occur with the Proposed Project as 253 acres would remain undisturbed.

As "Lead Agency", and as part of the City's due diligence, the City required several updated special studies be prepared to determine if the Proposed Project would result in any new or more severe significant effects not identified in the 2002 MND. Based on these studies, and a full analysis of the scope of the Proposed Project as compared to the Original Project, none of the criteria specified in CEQA Guideline 15162 is triggered requiring a subsequent or supplemental environmental document to be prepared. In particular, there have been no: (1) substantial changes in the project that will require major revisions to the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effect; (2) substantial changes

with respects to the circumstances under which the Proposed Project is undertaken that will require major revisions to the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effect; and (3) new information of substantial importance that was not known and could not have been known at the time the previous MND was adopted that shows: (a) the Proposed Project would have significant effects not discussed in the previous MND; (b) the Proposed Project would have more severe environmental effects; or (3) mitigation measures previously found to be infeasible or new mitigation measures now exist and would be feasible and would reduce significant effects. Therefore, an Addendum is the proper document to analyze the environmental effects of the Proposed Project as compared to the Original Project as provided for in CEQA Guidelines 15162 and 15164.

This Addendum incorporates the mitigation measures detailed in the 2002 MND. With the incorporation of this mitigation, no significant impacts will result from the Proposed Project and no new or increased significant impacts will result from the Proposed Project. Also, no new or modified mitigation is available, and all impacts will be reduced with the existing mitigation measures.

B. Background

The Original Project was formally evaluated in an Initial Study/MND prepared in 2002 for the Black Ranch Resort. The 2002 MND was prepared pursuant to the California Environmental Quality Act (CEQA) and it was adopted by the City of Paso Robles (City) in full compliance with CEQA.

After the adoption of the 2002 MND and the City's approval of the Original Project, the development of the project did not occur. The property has been resold twice since it was entitled for the Original Project. Several Time Extensions were approved since 2002 to keep the entitlements "active". The most recent (one-year) Time Extension was approved in December 2013. Therefore, the current owner, Mr. Hunter, has the legal ability to construct the full scope of the Original Project.

Mr. Hunter has proposed amendments to the Original Project as detailed in the scope of the Proposed Project. In particular, the Proposed Project would include the original 200-room hotel, 80 casitas, a conference center, wine center, café and ancillary amenities, but would eliminate the 27-hole golf course. Instead of the golf course, the Proposed Project would include a garden-themed outdoor park attraction and a small 3-hole "golf academy" (which would include use of synthetic turf for the driving range). The balance of the site would not be developed and would be managed under an Open Space Management Plan.

C. Purpose of this Addendum

The purpose of this Addendum is to analyze the incremental difference in environmental effects between the Proposed Project and the Original Project. As documented in this Addendum, none of the triggering conditions in CEQA Guideline 15162 have been met requiring the need for a subsequent MND. This Addendum, together with the 2002 MND, will be used by the City when considering approval of the Proposed Project.

D. CEQA Framework for Addendum

State CEQA Guidelines (Sections 15162 and 15164) provide that an Addendum to an adopted MND may be prepared if none of the conditions triggering a subsequent Negative Declaration are present. . A subsequent MND would be necessary if one or more of the following has occurred:

- Substantial changes are proposed for the project that will require major revision of a previous Negative Declaration due to the involvement of new, significant environmental effects or a substantial increase in the severity of previous identified effects;
- Substantial changes with respect to the circumstances under which the project is undertaken, requiring major revision to a previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified ones;
- New information of substantial importance that was not known or could not have been known without the exercise of reasonable diligence at the time the previous ND was adopted shows any of the following:
 - The project will have one or more significant effects not discussed in the previous ND.
 - Significant effects previously examined will be substantially more severe than disclosed in the previous ND.
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt them.
 - Mitigation measures or alternatives that are considerably different from those analyzed in the previous document would substantially reduce one or more significant effects, but the project proponents decline to adopt the measures or alternative.

II. Project Information

A. Summary of Original Project

Project Location

The 2002 MND assessed the Black Ranch Resort located approximately four miles east from the intersection of Highway 101 and SR 46E. The property is within the City limits of Paso Robles, and is located at 3830 SR 46E. The primary entrance to the site is from SR 46E, with two secondary access points also on SR 46E. A small portion of the northern boundary of the property is adjacent to Dry Creek Road. An additional access point is planned to provide access to Dry Creek Road.

Approximately 346 acres of the project site is zoned Parks and Open Space, and 40 acres is zoned Agriculture. The Agriculturally zoned area of the property is adjacent to Dry Creek Road. The site is surrounded by property to the north, east and west that is zoned Agriculture. The site is adjacent to SR 46E along the southern boundary. Property to the south of SR 46E is zoned Parks and Open Space.

Project Details

The Black Ranch Resort (the Original Project) was approved to develop a resort master plan complex with 200 hotel guest rooms and 80 casita guest units on an approximately 386-acre site. The Original Project also included a 27-hole golf course, wine center, spa facilities, tennis courts, restaurant, golf clubhouse, pool and conference facilities. The Original Project was planned to be developed in two phases. The first phase would include the resort with 120 rooms, 40 casitas, 18-hole golf course, a 9-hole executive golf course, and additional conference facilities. The second phase includes development of the balance of the Master Plan program (e.g. 80 rooms and 40 casitas)

A Mitigated Negative Declaration was adopted for the Black Ranch project by the Paso Robles Planning Commission in February 2002. A Mitigation Monitoring and Reporting Program was approved with the MND. Mitigation topics focused on water, air quality, traffic and circulation, biological resources, and aesthetics.

B. Summary of Proposed Project

Project Details

The Proposed Project includes development of the approved 200 room hotel, 80 casitas, conference center, wine center and ancillary uses, however the project description has been modified to eliminate the 27-hole golf course. The golf course is proposed to be replaced with an outdoor garden-themed exhibition park attraction - the "Discovery Gardens", and a 3-hole golf academy.

C. Comparison of the Original and Proposed Project

As noted above, the Proposed Project continues inclusion of the hotel, conference center, casitas and wine center. The Original Project included a 27-hole golf course that would have disturbed a majority of the property. The Proposed Project, however, would result in a significant reduction in the prior approved development footprint, overall site disturbance, and related environmental impacts. The Proposed Project

would include permanent development of approximately 132 acres. Temporary disturbance would impact up to 200 acres (which includes the 132 acres), with balance of 68 acres to be restored after grading. An Open Space Management Plan will be developed to guide management of open space areas outside the proposed development footprint. The Open Space Management Plan is anticipated to include habitat management, and potentially to facilitate onsite biological resource mitigation, which is discussed in the Biology Resources section of this analysis. Given the special status biological resources present or potentially present within the proposed project site, early consultation with the CDFW, USFWS, Corps, and RWQCB will be initiated to ensure all issue areas are adequately evaluated and mitigated to facilitate future permitting that will be necessary with these agencies to construct the project.

To determine the Proposed Project's relative changes in potential environmental impacts from the Original Project, the City – as Lead Agency, required several updated special studies be prepared to document changes in potential impacts. Updated special studies includes: traffic trip generation; air quality study; water use report; storm water control plan; biological study; arborist report; visual simulations: and a greenhouse gas emissions analysis. The conclusions of studies demonstrates that the Proposed Project would result in less environmental impacts than the Original Project for several resources including: reduced water use; less site disturbance of biological habitat area; less vehicle trips and associated air pollution and greenhouse gases from mobile emissions. Additionally, the Proposed Project will not result in any new or increased impacts from that analyzed in the prior MND for the Original Project.

III. Analysis of Potential Environmental Effects

A. Discussion of Potentially Significant Environmental Effects

A discussion of the potentially significant environmental factors identified in the original MND and a comparison of these factors with the Proposed Project is provided below.

“Environmental Factors Potentially Affected” that require mitigation to reduce impacts to a less than significant level are presented below:

- Water
- Air Quality
- Transportation/Circulation
- Biological Resources
- Aesthetics
- Mandatory Findings of Significance

Section III (B) of this Addendum addresses other environmental topics included on the Initial Study Checklist to document why these environmental topics do not result in new or increased significant environmental impacts.

1. Water

Original Project

a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?

The City of Paso Robles has standard policies and conditions in place to require all new development to provide detailed grading and drainage information in conjunction with new development. A hydrological study was submitted with the project. The report had the following conclusions:

Dry Creek’s total watershed consists of 13,490 acres, with the upper sub-watershed being 7,130 acres, and the lower of 6,360 acres. Even though the watershed size of Dry Creek is large, its elongated shape creates long times of concentration and lower peak flow rates as compared to a more circular shaped watershed. The HEC-1 output displays the peak flow rates and times at the watershed’s point of concentration, the “wave peak” through the routed creek channel, and nodes of confluence (junctions). Looking at the point of Dry Creek at Black Ranch, the peak flow from Dry Creek will occur 3.75-hours after the peak flow from Black Ranch has left the site and gone downstream in Dry Creek. In more detail, in a 24-hour storm event, Black Ranch will have its peak flow rate at 10.25-hrs. (w/ 482 cfs), while Dry Creek’s peak flow rate “wave” will not arrive just upstream of the site until 14.00-hrs. (w/ 1525 cfs). The peak flow rate at the confluence of the Dry Creek and Black Ranch watersheds occurs at 13.92-hrs. (w/ 1585 cfs).

It can be seen that the peak flow or “wave” of storm water coming down Dry Creek to the site will not occur until almost 4-hours after Black Ranch’s peak flow rate has already happened and moved downstream. Therefore, it would seem reasonable to say that detention of on-site runoff of Black Ranch to Dry Creek would not be necessary to mitigate increases to Dry Creek’s peak flow rates passing through the project. Direct discharge of the project’s runoff to Dry Creek would be in conformance with the existing lag between their watersheds.

The City Engineer has reviewed the report and has concluded that Mitigation Measures need to be added to address the channeling of runoff into improved storm drain facilities. A mitigation measure is also needed to ensure adequate protection of oak trees that will remain on-site after construction is complete. With the mitigation measures, drainage impacts are considered to be a less than significant impact at this time.

W-1: Detention and storm drain systems will be channeled to storm drainage facilities to be reviewed and approved by the City Engineer. Storm water discharge from the proposed development will be designed to maintain historic flows to off-site channels.

W-2: Drainage patterns will not be altered to allow new runoff to drain into the drip line of existing oak trees.

Proposed Project

The existing hydrological functions of the surrounding watershed, including Dry Creek, will not be significantly altered with the Proposed Project. It will not be altered because the development footprint of the Proposed Project, as shown on the Project Master Site Plan, and the extent of site disturbance is constrained to limited portions of the overall watershed, and because the drainage functions of in-stream ponds and movement of water through site drainages (which only occur seasonally after major storm events) would remain intact. The project would not contain, dam or otherwise result in physical barriers to the hydrologic drainage pattern on the property.

Additionally, with implementation of new State storm water management regulations to control and filter water before it enters the surrounding watershed, on-site drainage from development-related hydro-modification will be handled on the site with low-impact development (LID) features. These LID measures are identified in the Storm Water Control Plan was prepared for this project (North Coast Engineering, February 2014, Attachment 4). LID features include conveying surface drainage to bio-swales and other drainage/filtering facilities. Benefits of LID features are that it enables water to recharge the groundwater basin as well as filter it. As noted in the original project mitigation W-1, historic water discharge will be designed to maintain historic flows to off-site channels. The requirement of new storm water management techniques still fits within the confines of mitigation measures W-1 and W-2.

Findings:

- Absorption rates, drainage patterns, and/or the rate and amount of surface runoff on the project site would not be substantially changed with the implementation of the Proposed Project. As such, major revisions of the previous Negative Declaration do not need to occur because there is no new, significant environmental effects or a substantial increase in the severity of previous identified

effects. As noted above, the development footprint has been reduced and amount of runoff from impervious surfaces has been reduced and will be captured and maintained on the project site through implementation of new low-impact development drainage facilities and measures. The functions of the watershed will be maintained with the Proposed Project, and no new impacts or more severe drainage-related impacts would result from the Proposed Project.

- The existing watershed and drainage pattern and functions have not changed on the Project site since the Original Project was approved. Therefore, no major revisions are necessary to the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects related to site drainage as none will occur with the Proposed Project.
- There is no new information of substantial importance related to absorption rates, drainage patterns or the amount of surface runoff that was not known or could not have been known without the exercise of reasonable diligence at the time the previous ND was adopted that shows any of the following:
 - That the Proposed Project will have one or more significant effects not discussed in the previous ND. In fact, no new significant effects will result with the Proposed Project, including related to absorption rates and drainage patterns, as the Proposed Project will not alter any hydrological functions of the watershed on the project site.
 - That the Proposed Project will cause significant effects examined in the previous ND to be substantially more severe. No significant effects would be more substantially more severe than disclosed because the Proposed Project would reduce drainage-related impacts than what would have occurred with the Original Project.
 - That there are mitigation measures or alternatives previously found not to be feasible, but that are now feasible and would substantially reduce one or more significant effects, and the project proponent declines to adopt it. In actuality, there are no mitigation measures or alternatives related to site drainage patterns previously found not to be feasible that would in fact be feasible and would substantially reduce one or more significant effects of the project. Further, the applicant accepts all feasible mitigation measures required for this project.
 - That there are mitigation measures or alternatives considerably different from those analyzed in the previous ND that would substantially reduce one or more significant effects and the project proponent declines to adopt it. There are actually no mitigation measures or alternatives that exist that are considerably different from those analyzed in the previous document that would substantially reduce one or more significant effects. As stated previously, the applicant accepts all feasible mitigation measures required for this project and as shown in this Addendum and the previous ND, all potentially significant impacts will be reduced to a less than significant level with the incorporation of this mitigation.

Finding: Therefore, no new or substantially more severe significant effects would occur and no additional mitigation measures are required.

h) Impacts to groundwater quality?

Original Project

Any future use of chemical application to the golf course would be applied in compliance with the Agricultural Commissioner's permitting requirements (inclusive of fertilizers and any pesticide application). A standard requirement for golf courses is for all chemical applications to be regulated through an Integrated Golf Course Management Plan (IGCMP) that establishes operational parameters to minimize impacts to groundwater and the surrounding environment. Example operational measures within an IGCMP would be the prohibition of chemical application during heavy rain flows, appropriate storage (including containment) of all herbicides and pesticides, and the limitation on number of times a year that each can be applied. A project specific IGCMP would be required at such time that an actual development application were proposed and permitting of chemical applications would be the purview of the Agricultural Commissioner.

There are six septic systems that exist on the Black Ranch property at this time. Future site development would extend City sewer service to the site and eliminate the need to maintain these ground leach systems. Standard conditions of future project development would require these septic systems to be appropriately abandoned, thereby eliminating an existing potential source of groundwater contaminate.

Based on the above discussions and mitigations to be practiced for future chemical applications, and the elimination of on-site septic systems, potential impacts to groundwater supplies is considered to be potentially significant, but able to be mitigated at the time a project is proposed.

Mitigation practices to be implemented:

W-3: Applied irrigation rates will utilize local evapotranspiration information to reduce the amount of groundwater infiltration by irrigation water.

W-4: Fertilizer will not be applied within 24 hours before a predicted rainfall to minimize leaching by rainwater, and soils will be tested and monitored for nutrient levels to ensure fertilizer application rates match uptake rates by turf grasses. Such monitoring shall be conducted annually by the course management and the results made available to the Agricultural Commissioner.

W-5: The Applicant will develop specific guidelines on the use of pesticides and fertilizers to reduce the use of chemical applications that could contaminate the ground water. Pest Management practices to be addressed in the Plan are:

- Anti-back siphoning devices shall be used in application equipment to reduce the potential for pesticide contamination of groundwater of other water supplies during irrigation.
- Slow release organic fertilizers will be used wherever possible as an effective biological method to help suppress many turf pathogens.

- The use of bacterial additives to enhance nitrogen uptake and improve turf disease resistance shall be considered when these become commercially available.
- All chemicals shall be applied by or under the supervision of a trained, licensed operator following all manufacturers' directions for proper chemical/fertilization application and container disposal procedures.
- To act as a buffer between turf and natural vegetation zones, a band of native perennial grass shall be established adjacent to the short rough. This buffer will filter the non-point source fertilizer runoff.

Proposed Project

The scale of the proposed golf course in the Proposed Project versus the Original Project use would be reduced significantly (from 27 holes to a 3-hole "golf academy" that uses synthetic turf for the driving range), thus reducing the necessity for significant turf management products and associated ground water quality impacts. The outdoor garden-park in the Proposed Project would supplant some of the golf course area and will require landscape maintenance products and methods similar to, but not more intensive, than what would be necessary for the full development of the property under the Original Project. Additionally, LID techniques and features will be implemented that will broaden the range of natural filtration methods to manage and filter out landscape maintenance products. LID techniques are included pursuant to State regulations and will be reviewed and analyzed by City Engineering staff and be incorporated as regulatory project conditions.

Findings:

- There are no new or substantial changes from the Proposed Project that will require major revision of a previous Negative Declaration due to the involvement of new, significant environmental effects or a substantial increase in the severity of previous identified effects. The Proposed Project would result in net benefits to use of groundwater resources as compared to the Original Project by resulting in a substantial reduction in the amount of groundwater that would be needed, and eventually requiring no direct use of groundwater through reliance on recycled water in the future. Therefore, no new impacts or more severe groundwater impacts would result from the Project as compared to the Original Project.
- Groundwater has been in decline for the last couple decades, thus the circumstance of declining groundwater is not a new issue and no major revision to the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects related to groundwater supplies have occurred or will occur with the Proposed Project. The project will rely on far less groundwater, and eventually have no direct reliance on groundwater in the future, which will be an environmental benefit as compared to the Original Project.
- There is no new information of substantial importance related to groundwater that was not known or could not have been known without the exercise of reasonable diligence at the time the previous ND was adopted shows any of the following:

- The project will not result in one or more significant effects not discussed in the previous ND, and in fact, the Proposed Project will result in less significant effects related to groundwater due to less water demands, alternative water supplies available, and decrease in use of landscape maintenance chemicals.
- As noted, significant effects previously examined will not be substantially more severe than disclosed in the previous ND since the Proposed Project would reduce water demands, in particular groundwater use and associated impacts than what is currently entitled with the Original Project.
- There are no mitigation measures or alternatives related to groundwater use previously found not to be feasible that would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt them. The applicant accepts all mitigation measures required for this project.
- There are no mitigation measures or alternatives that are considerably different from those analyzed in the previous document would substantially reduce one or more significant effects that the project proponents decline to adopt the measures or alternative. The applicant accepts all mitigation measures required for this project.

Finding: No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

2. Air Quality

a) Violate any air quality standard or contribute to an existing or projected air quality violation?

Original Project

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. The potential for future project development to create adverse air quality impacts falls generally into two categories: Short-term and long-term impacts.

Short-term impacts are associated with the grading and development portion of a project where earthwork generates dust, but the impact ends when construction is complete. Long-term impacts are related to the ongoing operational characteristics of a project and are generally related to vehicular trip generation and the level of offensiveness of the on-site activity being developed.

Morro Group, Inc. Environmental Consultants has prepared a Comprehensive Air Quality Mitigation Plan for the Black Ranch Resort project. The plan has been prepared to assist the APCD in the review of emissions that would result from the project. The plan outlines the short-term and long-term emissions the project would produce and the necessary mitigation measures that would be necessary in order to reduce the amount of emissions to a level of insignificance.

The project was submitted to the APCD for their review and comment. Their initial comments were that the proposed project has the potential to exceed the District Tier II (25lbs./day) CEQA significance thresholds for the construction and operations phase emissions. However, the APCD agreed to consider a comprehensive air quality mitigation plan that would reduce the impacts from the project to a level of insignificance.

In response to the initial comments from APCD, the Applicant submitted a Comprehensive Air Quality Mitigation Plan performed by the Morro Group. The Plan concluded that the proposed development of the Black Ranch Resort could be mitigated to a level of impacts considered to be less than significant. All appropriate and feasible mitigation measures have been assigned to the project to reduce both short-term and long-term project emissions. Implementation of the assigned mitigation measures will reduce short-term construction and long-term operational emissions. A complete listing of the mitigation measures is included in Attachment 9 as well as in the Mitigation Monitoring Table.

Mitigation shall consist of implementing the on-site and off-site mitigation measures contained in the Air Quality Management Plan identified as AQ-1 through AQ-21 below.

AQ-1: Prior to demolition, the Applicant shall notify the San Luis Obispo APCD of all facility demolitions at least ten working days before asbestos stripping or removal work begins. The information required for the notification must be reported a “Notification of Demolition and Renovation” form that can be obtained at the APCD. This form includes demolition of facilities that may contain no asbestos.

AQ-2: Prior to demolition, the Applicant shall implement the following steps:

- The facility shall be inspected and building materials sampled and tested to determine the presence or absence of asbestos.
- Samples must be tested by an EPA accredited analytical laboratory, and with an approved EPA asbestos method to determine the percent of asbestos present.
- Inspections and testing shall be completed and results obtained by the owner, operator or contractor prior to the start of the renovation or demolition.
- Test results shall be kept on site and made available to the APCD upon request.

AQ-3: Prior to and during demolition, the Applicant shall assure the following steps are completed:

- Demolition may begin when it is determined that asbestos containing materials are not present, and all notification of the National Emission Standard for Hazardous Air Pollutants (NESHAP) are met.
- If asbestos containing materials are present, demolition activity must be done in compliance with the NESHAP.
- If proof of inspection and building material testing cannot be provided to the APCD, demolition activity will be required to stop.
- Activity may resume only with APCD approval.
- Upon receipt of an adequate “Notification of Demolition and Renovation”, the APCD will issue a written Authorization Letter and fee invoice to the owner/operator of the facility.
- The primary purposes of the Authorization Letter are to verify project start and end dates, to assure that all parties are aware of APCD and EPA requirements, and that those requirements will be adhered to during the abatement.

AQ-4: If it is determined that portable engines and portable engines will be utilized, the contractor shall contact the County of San Luis Obispo APCD and obtain a permit to operate portable engines prior to commencement of construction. Portable equipment shall be registered in the statewide portable equipment registration program.

AQ-5: Oxidizing soot filters shall be installed on 5 pieces of equipment expected to see the heaviest use or which have the highest emissions during construction. Where catalytic soot filters are determined to be unsuitable, the owner shall install and use an oxidation catalyst.

- Suitability is to be determined by an authorized representative of the filter manufacturer, or an independent California Licensed Mechanical Engineer who will submit, for APCD approval, a Suitability Report identifying and explaining the particular constraints to using the preferred catalytic soot filter.
- Installations must be conducted according to manufacturer's specifications.
- Proof that the catalytic soot filters have been installed must be provided to the APCD.
- The APCD shall be notified prior to operation of the equipment with the filters installed.
- Acceptable proof may be in the form of visual inspection by APCD staff or submittal of filter serial numbers and photos of the equipment with the installed filters.

AQ-6: Use of reformulated diesel fuel. All off-road and portable diesel powered equipment shall be fueled exclusively with CARB certified diesel.

AQ-7: Use 1996 or newer heavy duty off road vehicles to the extent feasible.

AQ-8: Use of Caterpillar pre-chamber diesel engines (or equivalent) together with proper maintenance and operation to reduce emissions of oxides of nitrogen (NOX).

AQ-9: Electrify equipment where possible.

AQ-10: Maintain equipment in tune per manufacturer's specifications, except as otherwise required above.

AQ-11: Install catalytic converters on gasoline-powered equipment.

AQ-12: Use Compressed Natural Gas (CNG) or propane on-site mobile equipment instead of diesel-powered equipment.

AQ-13: A Dust Control Plan shall be prepared and approved by the APCD prior to commencement of construction activities. The Dust Control Plan shall include the following:

- Important elements of this plan would be detailed dust mitigation measures and provisions for monitoring for dust during construction.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering or other measures as necessary to prevent transport of dust off-site. Their duties shall include holiday 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 construction commencement.

- Compliant handling procedures shall be identified.
- A daily dust observation log shall be filled out as necessary.
- Reduce the amount of the disturbed area where possible.
- 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 shall be used whenever possible.
- All dirt stock-pile areas shall be sprayed daily as needed.
- Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities.
- Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established.
- All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
- All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- All trucks hauling dirt, sand, or other loose materials are to be covered or shall maintain at least two feet of free board (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114. This measure has the potential to reduce PM₁₀ emissions by 7-14%.
- Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site. This measure has the potential to reduce PM₁₀ emissions by 40-70%.
- 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 when feasible. This measure has the potential to reduce PM₁₀ emissions by 25-60%.
- All PM₁₀ mitigation measures required shall be shown on grading and building plans.

AQ-14: A Construction Activity Management Plan shall be prepared and submitted to the APCD for approval prior to implementation.

AQ-15: A Construction Activity Management Plan shall be prepared and submitted to the APCD for approval prior to implementation.

AQ-16: Standard Site Design Measures

- Orient buildings toward streets with convenient pedestrian and transit access; parking in rear.
- Provide preferential carpool parking.
- 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

AQ-17: Standard Energy Efficiency Measures

- Increase walls and attic insulation beyond Title 24 requirements.
- Orient buildings to maximize natural heating and cooling.

AQ-18: Discretionary Transportation Demand Management Measures

- Establish an Employee Trip Reduction Program (ETRP) to reduce employee commute trips (i.e. carpooling incentives, vanpools, and transit subsidies).
- Employ a transportation/rideshare coordinator.
- Implement a rideshare coordinator.
- Provide for shuttle/mini bus service for employees, special events, airport/Amtrak services, and services to downtown Paso Robles and Atascadero.
- Provide on-site banking (ATM) and postal services, if applicable.
- Provide guests with electric carts
- Provide pedestrian pathways throughout the facility.
- Cater to group activities using buses and vanpools.
- Provide on-site eating, refrigeration, vending for employees.

AQ-19: Discretionary Energy Efficient Measures

- Shade tree planting along southern exposures of buildings to reduce summer cooling needs.
- Shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
- Use built-in energy efficient appliances, where applicable.
- Use double-paned windows.
- Use sodium parking lot and streetlights.
- Use energy efficient interior lighting.
- Electrify golf carts.

AQ-20: Off-site Mitigation Measures

- Operational emissions in excess of 25 lbs/day after implementation of long-term mitigation measures shall be offset at a rate of \$8,500/ton.
- Incorporation of an ETRP and electric golf carts may be used to reduce the total emissions.

AQ-21: To fully mitigate the impacts from this project, off-site mitigation is required. The District determined that \$15,000 of off-site mitigation is required to be incorporated into the project. Placement of the required \$15,000 off-site mitigation fee into a specified program or in-lieu fee agreement shall be in place prior to commencement of construction activities. The following is a list of potential options that could be funded:

- Clean transit bus replacement/repower
- Public transit service
- Vanpool programs/subsidies
- Rideshare assistance programs
- Clean school bus replacement/repower/filters

Proposed Project

Since 2002, there have been various changes to the state and federal air quality standards, which have affected the regions nonattainment/attainment designations. However, when comparing current designations to the 2002 designations, there are no significant changes that would affect the air quality analysis. For instance, in 2002, San Luis Obispo County was designated nonattainment of the state ozone standard. These standards changed in 2004 at which time the County was redesignated attainment for the state ozone standard. However, in 2005, the state approved new,

more restrictive ozone standards and the County was again deemed to be in nonattainment. The County has continued to be in nonattainment since the 2005 redesignation.

To assist local jurisdictions in the evaluation of proposed projects with regard to current air quality conditions/impacts, the SLOAPCD has adopted the *CEQA Air Quality Handbook*. The Handbook has undergone various revisions over the past few years, including changes to the recommended CEQA significance thresholds and recommended mitigation measures. The SLOAPCD was consulted during the preparation of the air quality analysis that was prepared for the Proposed Project, at which time the previously prepared Original Project's air quality analysis, significance conclusions, and mitigation measures were reviewed by SLOAPCD. SLOAPCD concluded that the Proposed Project would not result in a significant change to the impact conclusions contained in the previous air quality analysis and that the mitigation measures contained in the previous analysis were still appropriate and adequate to reduce any potentially significant air quality impacts. As a result, reassessment of air quality impacts was not recommended by SLOAPCD.

Air pollution emissions result from construction-related and operational activities. As noted in the project description, the Proposed Project would include the same number of hotel rooms, conference center, etc., however, the outdoor uses would change from a golf course to the proposed garden attraction. Since the area of development for the Proposed Project is significantly reduced, construction-related emissions would be reduced as well (e.g. less site grading and use of earth-moving equipment). The adopted Comprehensive Air Quality Management Plan (AQ-1) would be implemented to address air pollution for this project.

The supplemental traffic study indicates that the number of vehicle trips for the Proposed Project, which is the primary source of operational emissions, would be significantly reduced. The study indicates that at full build-out that the Proposed Project would have an average of about 802 less vehicle trips per day. This demonstrates that the mitigation measures included in the Original Project (which were found acceptable for reducing air pollution to a less than significant level) would also reduce impacts for the Proposed Project to a less than significant level.

Greenhouse gas (GHG) emissions were not specifically measured for the prior environmental determination because it was not a requirement at that time. However, as part of recently adopted, new regulations, it is necessary to delineate this type of emission that may result from development. A GHG Analysis was prepared for the Proposed Project (see Attachment 6). Although this identifies this effect, the effect is not new, and the new impact identified does not trigger any of the criteria in Guideline 15162 as a new effect is only relevant if it derives from new information, substantial changes in the project, or changed circumstances. In this case, although greenhouse gas is something that is now required to be quantified for regulatory purposes, it is not new information. This impact is not derived from a substantial change in the project, and in fact, the Proposed Project will result in less GHG emissions than what would have occurred with the Original Project.

As noted above, since the primary source of emissions from development (whether ozone precursors or GHG) result from mobile emissions (e.g. vehicles), and since the Proposed Project would result in less vehicle trips than the Original Project (and per Title 24 of the California Building Code, energy efficiency in construction methods has greatly improved in the last decade), it can be determined that the Proposed Project would result in less GHG emissions than from what was previously approved.

Additionally, the City adopted a Climate Action Plan in 2013 which includes a project “Consistency Checklist” that can be utilized by project applicants to demonstrate consistency with the City’s policies and requirements to reduce GHG emissions. Submittal of this information and follow-through on compliance with the measures in the checklist (which reduces GHG emissions), precludes the requirement of further mitigation measures to reduce GHG emissions. The project will be conditioned to require submittal of this checklist with building and grading permits.

Furthermore, the topic of “global warming”, which is associated with the emissions of anthropomorphic-generated emissions, is not “new information of substantial importance which was not known and could not have been known” at the time the original MND was adopted, because the topic of global warming has been known since the 1970s. Since the project would result in less emissions, in this case specifically GHG emissions, and global warming is not “new information” within the meaning of Public Resources Code Section 2116 and State CEQA Guidelines Section 15162, none of the triggers under those sections requiring the preparation of a subsequent Initial Study/MND are fulfilled with regard to this issue.

Findings:

- Since the Proposed Project would result in a net reduction of air pollution and GHG emissions as compared to the Original Project, there are no substantial changes proposed for the project that will require major revisions of the previous Negative Declaration due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified effects related to air quality.
- As noted, there are no substantial changes with respect to the air quality circumstances (e.g. regional nonattainment designation status) under which the project is undertaken, and therefore, no major revision to the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects related to air quality.
- There is no new information of substantial importance that was not known or could not have been known regarding air quality, without the exercise of reasonable diligence, at the time the previous ND was adopted that shows any of the following:
 - That the Proposed Project will have one or more significant effects not discussed in the previous ND. As noted, the project will not result in one or more significant effects not discussed in the previous ND, and in fact would result in less air pollution and GHG emissions as compared to the Original Project.
 - That the Proposed Project will cause significant effects examined in the previous ND to be substantially more severe. The Proposed Project would actually result in less significant effects related to air quality than the Original Project. Thus, it would not cause significant effects examined in the previous ND to be substantially more severe than disclosed.
 - That there are mitigation measures or alternatives previously found not to be feasible, but that are now feasible and would substantially reduce one or more significant effects, and the project proponent declines to adopt it. In actuality, all feasible mitigation was previously imposed and no new mitigation measures or alternatives exist to further reduce the potentially significant impacts to air quality. The applicant accepts all feasible

mitigation measures identified in the previous ND that are equally applicable to the Proposed Project, and that would reduce air quality impacts to less than significant.

- That there are mitigation measures or alternatives considerably different from those analyzed in the previous ND that would substantially reduce one or more significant effects and the project proponent declines to adopt it. There are actually no mitigation measures or alternatives that exist that are considerably different from those analyzed in the previous document that would substantially reduce one or more significant effects. As stated previously, the applicant accepts all feasible mitigation measures required for this project, and as shown in this Addendum and the previous ND, all potentially significant impacts will be reduced to a less than significant level with the incorporation of this mitigation.

Finding: No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

b) Expose sensitive receptors to pollutants?

Original Project

The rural development character of the area would result in natural buffering between existing dwelling units and proposed development. However, there would be short-term exposure of people to construction dust and odors. There are dust control measures and construction circulation plans that could be established in the future to help reduce those impacts to the greatest degree possible. Appropriate mitigation measures should be analyzed in conjunction with the quantifying air impacts as described above in Section (a).

Proposed Project

Since the time that the original MND was adopted, the existing dwelling units referred to in the above narrative have been removed. There are no sensitive receptors within the vicinity of the project. Therefore, this impact and the originally required mitigation no longer applies to the Proposed Project.

Findings:

- The sensitive receptors referenced in the Original Project analysis are no longer extant. Therefore, substantial changes are not proposed for the project that will require major revision of a previous Negative Declaration due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified effects;
- There are no substantial changes that will occur with respect to the circumstances under which the project is undertaken, which will require major revisions to the previous Negative Declaration due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified effects. The only change that will occur is that the sensitive receptors previously residing in proximity to the Project site are no longer present. As such, the previously potentially significant environmental effect is reduced, and no new significant environmental effects or a substantial increase in the severity of previously identified effects would result.

- There is no new information of substantial importance that was not known or could not have been known without the exercise of reasonable diligence at the time the previous ND was adopted shows any of the following:
 - That the project will have one or more significant effects not discussed in the previous ND. The project will not have one or more significant effects not discussed in the previous ND since the sensitive receptors referenced are no longer extant.
 - Significant effects examined in the previous ND would be substantially more severe than shown in the prior document. Significant effects previously examined will not be substantially more severe than disclosed in the previous ND since the sensitive receptors are no longer extant.
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt them. As stated previously, the applicant accepts all feasible mitigation measures that are equally applicable to the Proposed Project, and that will reduce all potential air quality impacts to a level of insignificance.
 - Mitigation measures or alternatives that are considerably different from those analyzed in the previous document would substantially reduce one or more significant effects, but the project proponents decline to adopt the measures or alternative. There are no new or different mitigation measures from those analyzed in the prior ND that would further reduce impacts. In fact, the applicant accepts all previously identified mitigation measures that are equally applicable to the Proposed Project. These measures alone would reduce impacts of the project to a level of insignificance.

Finding: No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

3. Transportation and Circulation

a) Increased vehicle trips or traffic congestion?

Original Project

The conceptual site plan for the Black Ranch project shows two access points for the proposed project. The main access would be located on State Route 46 directly across from Hunter Ranch Golf Course (at one of the existing access points on the property). The conceptual plan also shows potential secondary access via a connection through the Eberle Wine tasting Facility.

A Traffic and Circulation Study was prepared by Associated Traffic Engineers of Santa Barbara at the time of the annexation process. The conclusion of that study is that increased vehicle trips that might result from the project development scenario would not cause any surrounding intersections to operate at less than Level of Service (LOS) C. Maintaining LOS C or better intersections is an established policy of the City's General Plan Circulation Element. Therefore, the traffic analysis

conducted at a program level indicated impacts on existing circulation corridors or intersections is less than significant.

With the submittal of the proposed Development Plan and Conditional Use Permit, a revised traffic study, prepared by Associated Traffic Engineers was performed. The study concluded that the project addition of P.M. peak hour traffic would have only a minor effect on the State Route 46/Hunter Ranch Golf Course intersection. The addition of project traffic to the intersection would continue to operate at a Level of Service of C or better (See Attachments 13, 14, 15, 16, 17 and 18).

Although according to the traffic study the project would operate at a Level of Service C or better, which would meet the City's policies, there are mitigation measures the applicant will need to complete prior to beginning construction of the project.

ATE within their traffic study identified that as part of the State Route 46 Corridor Improvement Project, the Black Ranch frontage and main access will be improved. State Route 46 will be improved to a 4-lane expressway from Airport Road to east of Shandon. At the main access, the preliminary design indicates that in addition to widening to 4 lanes, exclusive left-turn and right-turn lanes will be provided on both the eastbound and westbound approaches. The State Route 46 Corridor Improvement Project is scheduled to begin construction Spring 2004 and construction will be completed in 2007 to 2008.

The project was sent to Caltrans for review where Caltrans identified that the project improvements mentioned above would need to be in place prior to construction of the Black Ranch Project. RRM Design Group responded to Caltrans' comments and agreed that the improvements would be made prior to construction. Prior to issuance of a grading permit, the following mitigation measures shall be performed to the State Highway 46 East frontage:

T-1: Construct left turn channelization to accommodate the eastbound SR 46 Northbound Project driveway left turn movement. Left turn channelization shall be constructed to full Caltrans Standards.

T-2: Construct eastbound SR 46 acceleration lane to accommodate the southbound project driveway to eastbound SR 46 left turn movement. The acceleration lane shall be constructed to full Caltrans Standards.

T-3: Construct right turn channelization to accommodate the westbound SR 46 to northbound project driveway right turn movement. Right turn channelization shall be constructed to full Caltrans standards.

Proposed Project

As noted in the supplemental traffic generation study, the Proposed Project, including phases I, IA, and II is estimated to result in 2,102 total average daily trips (ADT). This includes employees and attendees, and accounting for a reduction of internal trips of visitors between uses on the site. Peak hour trips from the Proposed Project are estimated to be 133 A.M. and 221 P.M. The Original Project was estimated to result in 2,903 ADT, with 168 A.M. and 260 P.M. peak hour trips. As demonstrated, the Proposed Project would result in a reduction of approximately 801 (28%) less ADT. Therefore, traffic congestion would be reduced with the Proposed Project, and existing mitigation measures will be

adequate to reduce any potentially significant impacts already disclosed in the prior MND. (See Traffic Generation Comparison Study, prepared by ATE, December 2013, Attachment XX.)

Additionally, the City's 2011 Circulation Element (CE) of the General Plan identifies existing roadway capacity utilization, the functional level of service (LOS), and the projected capacity utilization and LOS in 2025. The land use and associated traffic generation assumptions used in these estimates assumes development of Black Ranch. Appendix A of the CE indicates that the existing LOS of the segment of SR 46E between Airport Road and Dry Creek Road (where the project site is located) is LOS C with a 54% capacity utilization. Due to ongoing and planned highway improvements (e.g. the Highway 101/SR 46E interchange and improvements at Union Road) and implementation of the Caltrans/City adopted Parallel Routes Plan, the 2025 projection estimates this road segment to operate at LOS B with 47% capacity utilization. Both of these projections are consistent with operational standards of Caltrans and the City of Paso Robles. Therefore, the Proposed Project, which is estimated to result in less vehicle trips than the Original Project, would not result in new or significantly more severe traffic-related impacts.

It should be noted however, that since the Original Project MND was adopted, Caltrans has already constructed an eastbound, left-turn channelization lane and an eastbound acceleration lane. Therefore, mitigation measures T1 and T2 no longer apply. Mitigation measure T3, however, would continue to apply to the Proposed Project.

Findings:

- Since traffic generation is estimated to be 28% less than what is anticipated with development of the Original Project, there are no substantial changes proposed for the project that will require major revisions to the previous Negative Declaration due to the involvement of new, significant environmental effects or a substantial increase in the severity of previous identified effects.
- There are no substantial changes that have occurred with respect to the circumstances under which the project is undertaken, requiring major revision to the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified ones. In fact, the Proposed Project would result in less traffic, and road improvements to SR 46E have reduced the potential impacts that may result from this project.
- There is no new information of substantial importance that was not known or could not have been known without the exercise of reasonable diligence at the time the previous ND was adopted shows any of the following:
 - The project will have one or more significant effects not discussed in the previous ND. It is estimated that the Proposed Project would result in less significant impacts due to a reduction in ADT, thus no new significant effects will result from those already disclosed in the previous ND.
 - Significant effects previously examined will be substantially more severe than disclosed in the previous ND. It is estimated that the Proposed Project would result in less significant impacts due to a reduction in ADT, thus no increased significant effects will result from those already disclosed in the previous ND.

- Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt them. The project proponent accepts all feasible mitigation measures that are equally applicable to the Proposed Project and that would reduce all traffic impacts to a level of insignificance.
- Mitigation measures or alternatives that are considerably different from those analyzed in the previous document would substantially reduce one or more significant effects, but the project proponents decline to adopt the measures or alternative. The project proponent accepts all feasible mitigation measures that are equally applicable to the Proposed Project and that would reduce all traffic impacts to a level of insignificance.

Finding: No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Original Project

See mitigation measures in VI (a) which outlines the design features that the applicant will construct prior to construction of the project. With the construction of the acceleration and turn lanes, there should not be hazards to safety from design features and the level of potential significance will be reduced to less than significant.

Proposed Project

As noted above, since the Original Project MND was adopted, Caltrans has already constructed an eastbound, left-turn channelization lane and an eastbound acceleration lane. Therefore, mitigation measures T1 and T2 no longer apply to the Proposed Project. However, the right turn channelization lane noted in mitigation measure T3 will still be required to accommodate the westbound SR 46 traffic.

Findings:

- As noted above, potential impacts related to safety design features have already been partially address through completion of two of the mitigation measures. Therefore, there are no substantial changes proposed for the project that will require major revision of a previous Negative Declaration due to the involvement of new, significant environmental effects or a substantial increase in the severity of previous identified effects.
- There have been improvements with respect to the circumstances related to traffic safety (e.g. construction of turn lanes) that have occurred and under which the project is undertaken, but it does not require major revisions to the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified ones. As stated earlier, the improvements already constructed have reduced any potentially significant impacts of the Proposed Project.

- New information of substantial importance that was not known or could not have been known without the exercise of reasonable diligence at the time the previous ND was adopted shows any of the following:
 - The project will not result one or more significant effects not discussed in the previous ND. Impacts are partially already addressed and reduced by the improvements that have already been constructed, and overall impacts are anticipated to be less of an impact.
 - There are no significant effects that were previously examined that would be substantially more severe than disclosed in the previous ND. Impacts are partially already addressed and reduced by the improvements that have already been constructed, and overall impacts are anticipated to be less of an impact.
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt them. The project proponent accepts all feasible mitigation measures and these measures disclosed in the prior ND are equally applicable to the Proposed Project and would reduce all traffic related design impacts to a level of insignificance.
 - Mitigation measures or alternatives that are considerably different from those analyzed in the previous document would substantially reduce one or more significant effects, but the project proponents decline to adopt the measures or alternative. The project proponent accepts all feasible mitigation measures and these measures disclosed in the prior ND are equally applicable to the Proposed Project and would reduce all traffic related design impacts to a level of insignificance.
 - .

Finding: No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

g) Rail, waterborne, or air traffic impacts?

Original Project

The Black Ranch area is located in areas 4 and 5 of the City’s adopted Airport Land Use Plan, which would conditionally permit the types of land uses that are programmed for the site at this time. The POS zoning is located outside of the runway climb-out zones and does not conflict with adopted plans. Consistent with City policies for development around the airport area, the requirement to record aviation easements across the property (formalizing the right for air travel above the subject property) will be added as a condition of approval. There are no conflicts with rail or waterborne traffic.

T-4: Record an aviation easement prior to recordation of any final maps or issuance of any building permits.

Proposed Project

The Airport Land Use Safety Zones, as identified in the 2007 Airport Land Use Plan (ALUP) that apply to the project site, have not changed since the Original Project was approved. Per Table 6 of the ALUP, the project complies with the land uses permitted and development density allowed for Safety Zones 4 and 5. The circumstances regarding the project proximity to the Paso Robles Airport has also not changed. In compliance with the City General Plan and ALUP, the project proponent would be required to record an aviation easement as required for the Original Project.

There are no navigable waterways in the vicinity of the project, and the nearest railroad line (Union Pacific) is located approximately four miles west of the project site. Therefore, the project could not conflict with or otherwise impact or be impacted by waterways or rail lines.

Findings:

- There are no substantial changes proposed for the project related to the ALUP, waterways or rail lines that will require major revisions of the previous Negative Declaration due to the involvement of new, significant environmental effects or a substantial increase in the severity of previous identified effects.
- There have been no substantial changes with respect to the circumstances under which the project is undertaken related to the airport, waterways and/or rail lines, requiring major revisions to the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified ones.
- There is no new information of substantial importance that was not known or could not have been known without the exercise of reasonable diligence at the time the previous ND was adopted that shows any of the following:
 - That the project will result in one or more significant effects not discussed in the previous ND. The project will not result one or more significant effects not discussed in the previous ND related to the airport, waterways or rail lines as no conditions at the project site or land use designations under the ALUP have changed such that it would cause a new significant effect.
 - There are no significant effects that were previously examined that would be substantially more severe than disclosed in the previous ND since nothing has changed in the circumstances related to the airport, waterways or rail lines that would result in more severe impacts disclosed in the prior ND.
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt them. The project proponent accepts all feasible mitigation measures.
 - Mitigation measures or alternatives that are considerably different from those analyzed in the previous document would substantially reduce one or more significant effects, but the project proponents decline to adopt the measures or alternative. The project proponent accepts all feasible mitigation measures and they will reduce all potentially significant rail, waterborne, or air traffic impacts to a level of insignificance.

Finding: No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

4. Biological Resources

a) Endangered, threatened or rare species, or their habitats (including but not limited to: plants, fish, insects, animals, and birds)?

Original Project

A Biological Resource Assessment was prepared by Gaylene Tupen in 1998 for the project in conjunction with the Black Ranch Annexation (Attachment 5). In addition, Morro Group biologists conducted site visits to the Black Ranch site on July 15, 2001, and September 7, 2001, to characterize the present condition of the property, and to document substantive changes in the environmental setting of the parcel since the 1998 survey (Attachment 6).

The 2001 Biological Assessment concluded that site conditions are similar to 1998. However, riparian habitats formally associated with the ponds located at the central and east central portions of the site have been substantially degraded by cattle grazing and trampling. Pond-side vegetation classified as seasonal freshwater marsh habitat within the 1998 assessment is largely non-existent during the 2001 site surveys. No other substantive changes from those noted within the 1998 survey were noted.

A few special-status plant species have potential to occur on site. These plants are Oval-leaved snapdragon, Salinas milk vetch, dwarf calycadenia, Douglas' spineflower, and Shining navarretia. In addition, occurrence of Salinas Valley goldfields was confirmed during a survey of the southwestern portion of the site. Of these species, only two require listing in this study, the Dwarf calycadenia and the Shining navarretia. A survey for these will be conducted during the appropriate flowering season to identify their presence and location. If found within development areas, the appropriate mitigation noted below will be required.

Special-status wildlife include Kit Fox, San Joaquin Pocket Mouse, American Badger, Northern Harrier, White-tailed Kite, Golden Eagle, Burrowing Owl, and Loggerhead Shrike. Two loggerhead shrikes were observed on the northern portion of the site. Pre-construction surveys will be required for Kit Fox, Burrowing Owl, and American Badger.

Both the 1998 and 2001 surveys are attached to this Initial Study. From the surveys is a list of mitigation measures that once performed would reduce this project to a less than significant impact.

To avoid impacts to special-status plants:

B-1: A qualified botanist shall be retained by the applicant to conduct pre-construction surveys for rare plants in those areas proposed for development on site. These surveys shall be conducted within the appropriate flowering periods for the various species reported from the area and identified previously within this report. If rare plant populations are identified within areas likely disturbed by development, the applicant shall redesign the project to avoid the rare plant

populations. Should avoidance not be feasible, the applicant shall translocate the species to other suitable habitat within the project vicinity in accordance with the recommendations of the qualified botanist. Should translocation not be possible, new species shall be planted at a ratio of 2:1. The translocated or replanted species shall be monitored for a period of two (2) years. Replanting shall be performed so that there is no net loss of species after the two (2) year period.

To avoid impacts to special-status animals:

B-2: Immediately prior to commencement of construction activities, retain a qualified biologist (USFWS- approved) to perform pre-construction surveys to monitor all potential Kit Fox dens located within a proposed development area. The pre-construction surveys shall cover all proposed new development areas containing oak woodland or grassland habitats. Because Kit Fox can often be highly transient, pre-construction surveys shall be conducted not more than 30 days in advance of surface disturbance in any particular area. Because the proposed project would likely be developed in phases, a new pre-construction survey shall be conducted in association with each major development phase.

B-3: During the pre-construction survey, all evidence of habitat utilization within proposed development areas shall be documented by the selected biologist. All dens encountered within the survey areas that meet size criteria for Kit Fox shall be identified with wire pin flags and clearly mapped.

B-4: All dens located within areas proposed for development shall be monitored by the biologist, as appropriate, to determine each den's current utilization status by Kit Fox.

B-5: All Kit Fox dens determined not to be actively utilized shall be hand excavated under the direct supervision of a qualified biologist and immediately filled to prevent re-entry.

B-6: Any dens determined to be occupied by adults or Kit Fox pups must be documented and immediately reported to the appropriate agencies. Dens occupied by adult fox will be hand excavated by the qualified biologist after the Kit Fox has left the den. The excavation will then immediately be filled. If during monitoring a den is found to be occupied by Kit Fox pups, thereby qualifying as a "natal den", the den must be left undisturbed until the young have naturally dispersed. If development proceeds in the immediate vicinity prior to dispersal of the young, an exclusion zone of 150 feet radius shall be established around the entrance to the den. No development and construction activities will be allowed within the exclusion zone established by the qualified biologist, until approval to proceed is provided by USFWS. Specific measures for avoiding impacts to Kit Fox shall be identified and implemented through consultation with USFWS and CDFW, and according to the current protocols for Kit Fox protection.

B-7: Upon completion of the pre-construction surveys, the qualified biologist shall provide a supplemental report to the appropriate representatives of the USFWS and CDFW.

Regardless of the results of the pre-construction surveys, the following measures shall be implemented throughout the duration of proposed construction activities to prevent direct impacts to transient individuals that frequent the subject property and individuals utilizing dens within proposed development areas. Implementation of the following measures will also serve to avoid or

minimize disturbance of other important wildlife species that may frequent the area during construction.

B-8: A worker education briefing shall be conducted for all employees involved with construction of the proposed facilities. The educational briefing shall include identification of species of concern within the project vicinity, project mitigation requirements, reporting responsibilities, and penalties for failure of compliance.

B-9: The boundaries of all work areas shall be delineated by flagging or other clearly visible marking to minimize surface disturbance associated with possible vehicle straying.

B-10: Project-related vehicles shall observe a 20-mile per hour speed limit throughout the property to reduce the potential for impacting Kit Fox.

B-11: All construction shall be restricted to within daylight hours to avoid affecting Kit Fox nocturnal activities.

B-12: All holes or trenches shall be thoroughly inspected for trapped animals prior to filling. In the event that a trapped or injured Kit Fox is discovered during construction, the USFWS field office in Ventura and local CDFG representative shall be immediately notified.

B-13: Because Kit Fox are attracted to den-like structures such as pipes, all construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that area stored within work areas for overnight periods shall be thoroughly inspected for Kit Fox before the pipe or culvert is buried, capped, or moved. If a Kit Fox is found inside of a pipe, the pipe shall not be moved until representatives of USFWS and CDFG are notified.

B-14: All food-related trash items shall be disposed of in closed containers and removed from associated construction zones located at the property at least once per week.

B-15: No firearms or pets shall be allowed on site during construction activities.

B-16: Thirty eight (38) acres of permanent improvements shall be mitigated at a 3:1 ratio consistent with the Kit Fox Habitat Evaluation Form (attached). This would require that 114 acres be provided for habitat. This shall be mitigated on site through protection of 114 acres of open space and travel corridors on the Black Ranch property. The property owner shall improve, maintain, and protect the habitat through an easement or other agreement. The remaining 102 acres of open space and landscaping would be subject to lesser restrictions than the 114 acres and would serve as a buffer between the 114-acre habitat and any proposed improvements.

The conservation area will also serve as replacement habitat for other special-status species potentially occurring on site including, American Badger and Burrowing Owl. General criteria for selection of a conservation area are identified below:

Identified replacement habitat shall be contiguous and would preferably be located along an existing wildlife movement corridor (i.e., dry creek, dense areas of oak woodland). Areas recommended for avoidance due to their value as wildlife migration corridor (refer to Figure 2), shall be included as part of the conservation area located on site.

Replacement habitats should reflect the general characteristics of those habitats proposed for disturbance.

Some passive activities may be allowed within the conservation area, as well as maintenance of a limited number of access roads. Allowable uses within the conservation area would be subject to approval by CDFG and USFWS.

Nesting Raptors

B-17: To avoid take of Raptor nests, necessary tree removals shall be conducted between September 15 and February 15, outside of the typical breeding season. If any tree removals are determined to be necessary between February 15 and September 15, a Raptor nest survey shall be conducted by a qualified biologist prior to project implementation and any planned tree removals. The results of the Raptor nest survey shall be submitted to CDFG, via a letter report. If the biologist determines that a tree slated for removal is being used by Raptors for nesting at that time, construction in the vicinity of the nest shall be avoided until after the young have fledged from the nest and achieved independence. If no nesting is found to occur in the vicinity of proposed development, construction activities could then proceed.

Proposed Project

An updated Biological Resources Assessment study was prepared by Kevin Merk Associates, LLC, (November 2013), which is included in Attachment 8. A memo prepared by the biologist, clarifying a few issues related to San Joaquin Kit Fox (SJKF) habitat evaluation is also included in Attachment 9. The report provides findings from site visits conducted in August, October and November 2013, as well as literature reviews and research from the California Natural Diversity Data Base (CNDDDB). Due to the timing of the surveys, and similar to the original MND and biological study recommendations, a Spring botanical survey will be conducted in 2014 to reconfirm the presence or absence of special status plant species. Potential special status plant species are listed below.

- oval-leaved snapdragon (*Antirrhinum ovatum*);
- Salinas milk-vetch (*Astragalus macrodon*);
- round-leaved filaree (*California macrophylla*);
- dwarf calycadenia (*Calycadenia villosa*);
- San Luis Obispo owl's-clover (*Castilleja densiflora* ssp. *obispoensis*);
- Lemmon's jewel-flower (*Caulanthus lemmonii*);
- Douglas' spineflower (*Chorizanthe douglasii*);
- straight-awned spineflower (*Chorizanthe rectispina*);
- gypsum-loving larkspur (*Delphinium gypsophilum* ssp. *parviflorum*);
- umbrella larkspur (*Delphinium umbracolorum*);
- yellow-flowered eriastrum (*Eriastrum luteum*);
- mesa horkelia (*Horkelia cuneata* var. *puberula*);
- Santa Lucia rush (*Juncus luciensis*);
- pale-yellow layia (*Layia heterotricha*);
- Jared's pepper-grass (*Lepidium jaredii* ssp. *jaredii*);
- Davidson's bush-mallow (*Malacothamnus davidsonii*);
- Jones' bush mallow (*Malacothamnus jonesii*);
- Santa Lucia bush mallow (*Malacothamnus palmeri* var. *palmeri*);
- spreading navarretia (*Navarretia fossalis*);

- Paso Robles navarretia (*Navarretia jaredii*);
- shining navarretia (*Navarretia nigelliformis* ssp. *radians*);
- prostrate vernal pool navarretia (*Navarretia prostrata*);
- chaparral ragwort (*Senecio aphanactis*); and
- San Bernardino aster (*Symphyotrichum defoliatum*).

The property contains suitable habitat to support numerous special status wildlife species however, no special status plants or animals were observed during the site surveys. See the following list of potential special status wildlife species.

- tri-colored blackbird (*Agelaius tricolor*);
- silvery legless lizard (*Anniella pulchra pulchra*);
- pallid bat (*Antrozous pallidus*);
- golden eagle (*Aquila chrysaetos*);
- great blue heron (*Ardea herodias*);
- burrowing owl (*Athene cunicularia*);
- vernal pool fairy shrimp (*Branchinecta lynchi*);
- ferruginous hawk (*Buteo regalis*);
- white-tailed kite (*Elanus leucurus*);
- western pond turtle (*Emys marmorata*);
- California horned lark (*Eremophila alpestris actia*);
- hoary bat (*Lasiurus cinereus*);
- San Joaquin whipsnake (*Masticophis flagellum ruddocki*);
- coast horned lizard (*Phrynosoma blainvillii*);
- California red-legged frog (*Rana draytonii*);
- western spadefoot toad (*Spea hammondi*);
- American badger (*Taxidea taxus*); and
- San Joaquin kit fox (*Vulpes macrotis mutica*; SJKF).

While temporary disturbance of habitat areas that could support the species identified above (which is a more inclusive list of species than was identified in the Original Project biological assessment) that could occur in the vicinity of the area, recent site surveys in April 2014 confirmed that no protected species (either wildlife or botanical) are present on the site in the areas of proposed disturbance. Southwestern pond turtle were found in a drainage feature in the area of disturbance, however if they are present during pre-construction surveys, as a “best management practice”, they will be captured and relocated on the property to areas with suitable habitat that will not be affected by the project. The project is intended to minimize potential impacts to sensitive habitats and species, and in many respects improve the existing conditions of the site and suitability of the different habitat types for different types of species.

Since the property has a significant amount of existing open space that provides habitat, forage and migration for potential special-status species, as well as species that are not protected, and the site has natural drainage features, the applicant has incorporated design measures that provide options to address potential impacts to species, including an Open Space Management Plan for onsite habitat management, in keeping with and similar to, the Original Project analyzed in the original MND.

Past surveys identified vernal pool fairy shrimp on the site near Highway 46. The project is designed

to completely avoid the vernal pools so that it does not impact them, and/or protected fairy shrimp.

As noted in the prior MND, the site is within the migration corridor, and has habitat conducive to the San Joaquin Kit Fox (SJKF). The project would disturb the SJKF habitat through grading and construction activities. Additionally, habitat for other species such as red-legged frogs may be present in the in-channel ponds (although none were observed during site surveys).

In regard to SJKF, on-site mitigation is proposed (see mitigation measures B-1 through B-15), and a SJKF Evaluation Form will be completed once the final design for the site has been prepared. The form will establish the specific acreage of SJKF habitat mitigation required. The current SJKF mitigation standards are the same as what was applicable with the Original Project and included in the original MND. Based on the results of the SJKF Evaluation Form (to be completed and agreed to prior to approval of any building permits, in collaboration with the Department of Fish and Wildlife), a mitigation ratio of 3:1 will be applied for loss of kit fox habitat, unless the CDFW approves a different mitigation ratio. Mitigation can be accomplished by applying one (or a combination) of three options which include: (1) onsite mitigation – that is setting aside land in a Habitat Conservation easement, and implementation of an associated conservation plan; (2) payment of in-lieu fees; and/or (3) purchase of land conservation bank credits. Mitigations will be applied and verified prior to site disturbance to ensure that impacts to SJKF habitat are adequately mitigated. Thus, prior mitigation imposed on the Original Project will be equally applicable to the Proposed Project, and no new or greater impacts will result with the Proposed Project.

Findings:

- There are no substantial changes proposed for the project related to biological resources that will require major revisions of the previous Negative Declaration due to the involvement of new, significant environmental effects or a substantial increase in the severity of previous identified effects. The Proposed Project would actually reduce the area of disturbance and keep much more of the natural landscape, proposed to be managed with the Open Space Management Plan, in a natural condition, to ensure the quality of biological resources remains intact.
- There are no substantial changes with respect to the circumstances under which the project is undertaken, requiring major revisions to the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified ones. As stated above, the area of site disturbance, with the Proposed Project, will be lessened over the Original Project. Thus, the circumstances may slightly change with the Proposed Project, but this change would not involve any new or increased impacts. The adopted mitigation measures imposed on the Original Project are equally applicable to the Proposed Project and are adequate to minimize impacts to biological resources to a less than significant level. Additionally, implementation of the Open Space Management Plan will help restore and improve existing conditions of the site.
- New information of substantial importance that was not known or could not have been known without the exercise of reasonable diligence at the time the previous ND was adopted shows any of the following:
 - The project will result in one or more significant effects not discussed in the previous ND. Supplemental biological studies prepared for the amended project did not identify any new

protected plant or animal species, or environmental effects on biological resources as a result of the project. Thus, all potentially significant effects have already been disclosed in the prior ND.

- Significant effects previously examined will be substantially more severe than disclosed in the previous ND. Supplemental biological studies prepared for the Proposed Project did not identify any substantially more severe effects from the project than were disclosed in the previous ND, and they may actually be lessened as the Proposed Project will cause less site disturbance than the Original Project.
- Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt them. The project proponent accepts all feasible mitigation measures that were imposed on the Original Project and are equally applicable to the Proposed Project. With the imposition of this mitigation, all impacts will be reduced to a level of insignificance.
- Mitigation measures or alternatives that are considerably different from those analyzed in the previous document would substantially reduce one or more significant effects, but the project proponents decline to adopt the measures or alternative. The project proponent accepts all feasible mitigation measures that were imposed on the Original Project and are equally applicable to the Proposed Project. There are no new or different measures that would further reduce any potentially significant effects. With the imposition of mitigation identified, all impacts will be reduced to a level of insignificance.

Finding: No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

b) Locally designated species (e.g., heritage trees)?

Original Project

The site is heavily wooded with oak trees, especially within the small arroyos and the southwest portion of the Black Ranch property. Oak trees are characteristic throughout the project area. The conceptual development scenario for the site has the golf course traversing the oak areas with minimal impacts.

There are two areas of development for the project. One is the resort area where actual physical development will occur for the resort building, roads, parking lots and landscaping and the other is the golf course area. Specific survey information has been provided for the resort area. It has been anticipated that the construction of the resort will result in the removal of four oak trees.

Regarding the oak tree impacts in relation to the rest of the development, including the golf courses, specific survey information has not been performed. RRM Design Group has created a schematic impact and tree removal plan (Attachment 4). The plan identifies areas where it is anticipated that oak trees would need to be pruned and possibly removed. Since the golf course design shown on the schematic plans is conceptual, it is anticipated that the design will change, so at this time

specific oak tree impacts are not known. However, the current conceptual design that represents a maximized development density shows an impact to approximately 4.75 acres of trees over the 386-acre site. This represents 8% of the trees spread throughout the 59-acre oak woodland canopy.

The Original Project mitigation for oak tree impacts established the maximum oak tree removal for the overall site permitted is 10 percent of the existing oak trees and oak tree canopy. An arborist report was provided with the project application. A follow-up memorandum from the project arborist determined that with removal of up to 175 oak trees, that the impact to existing oak trees on the site would be up to a maximum of 9.3 percent. Since this is less than the amount of oak trees as a percentage of the oak trees on the site permitted for removal under the Original Project, the proposed removal request and mitigation is consistent with the Original MND.

To minimize impacts to existing oaks and oaks to be preserved:

B-18: No more than 10% of the existing oak trees or canopy may be removed by development of the site.

B-19: Prior to construction, identify oak saplings from the development area that are suitable for relocation. To the extent feasible, saplings should be relocated to adjacent appropriate areas located along the margins of existing oak woodland, and areas proposed for preservation.

B-20: Replace all individual oak trees that cannot be transplanted and that are proposed for removal at a ratio of 4 to 1 replacement ratio, or as otherwise required by the City of Paso Robles Oak Tree Ordinance. Potential oak woodland mitigation sites should closely reflect the characteristics of areas located on site that have naturally occurring woodland expansion.

B-21: Prior to construction, retain a qualified biologist or landscape specialist to clearly mark the drip line area of each tree located outside of, but adjacent to, proposed development areas. The drip line of each tree shall be marked with highly visible flagging or construction fencing.

B-22: During construction, avoid all soil disturbance, compaction, and grading activities within, and adjacent to, the associated drip line of each tree.

B-23: Artificial irrigation shall not be located adjacent to or within the drip line of existing oaks trees. Revegetate and/or mulch disturbed areas located near remaining oaks with appropriate native vegetation or mulch.

Proposed Project

The original MND approval notes that four oak trees were proposed to be removed for the hotel and conference area. However, the analysis did not include a detailed determination on the number of trees that would need to be removed to accommodate the remainder of the project (e.g. golf course and roads). The analysis estimated that 8% of the oak trees on the property may need to be removed for the golf course and roads. The actual number of trees that may need to be removed is inconclusive. As noted, this assumption was based on aerial photography and graphic information calculations of oak tree canopies on the site, and not on an actual tree inventory or analysis.

At the time the MND was prepared, the City accepted a determination that the threshold of significance related to removal of oak trees was 10% or more from the site. The MND was approved with a mitigation measure (B-18) to not remove more than 10% of the existing oak trees or canopy through development of the site.

An Arborist Report prepared by A & T Arborists and their follow up Memorandum, dated May 2, 2014 (see Attachment 5), identifies oak tree protection measures to reduce impacts to oaks within areas of development. The report indicates that the Proposed Project may result in the loss of up to 175 oak trees (which includes 154 oak trees associated with Phase 1, and approximately 11 trees associated with Phase 2 of the project). The arborist indicates that there are approximately 1,862 total trees on the site. The proposed removals would equal approximately 9.3 percent of the existing oak trees on the site, which is less than what is permitted in the Original Project MND mitigation measures. Therefore, the Proposed Project would result in less potential impacts and would be consistent with the prior approved mitigation requirements.

The Arborist Report identifies tree health and rates them between 1 (poor) to 10 (excellent) health. Of the total trees proposed for removal, only three trees on the tree inventory list are rated a "5", 32 trees were rated a "4", with the remaining being rated with a condition of "3" or below. There are no "heritage" quality oak trees proposed for removal. The arborist indicates that the actual number of oak trees removed may be less due to adjustments of site configurations in the field.

Oak tree preservation, protection, removal and replacements are guided by the City's Oak Tree Preservation Ordinance. The Ordinance provides guidance on tree protection, provides "findings" necessary for removal, and it includes a compensatory tree replacement standard for tree removals with tree trunks over 6 inches in diameter at breast height (dbh). The City's regulations are structured so that if oak trees are removed they must be replaced with a pre-determined (compensatory) quantified tree replacement, equivalent to 25 percent of the diameter of the removed tree(s), without discretion in regard to replacements.

Mitigation B-20 of the original MND (above) specifies replacement of all individual oak trees that cannot be transplanted and that are proposed for removal at a ratio of 4 to 1 replacement ratio, or *as otherwise required by the City of Paso Robles Oak Tree Ordinance* (emphasis added). The proposed oak tree removals will adhere to this mitigation by complying with the requirements of the City of Paso Robles Oak Tree Preservation Ordinance. The project would adhere to all of the other oak tree protection mitigations of the original MND as well.

Findings:

- Per the City's Oak Tree Preservation Ordinance, oak tree removals require compensatory replacements. It is unknown how many trees were speculated for actual removal with the original project. However, the Proposed Project will not require any major revision of the previous Negative Declaration due to the involvement of new, significant environmental effects or a substantial increase in the severity of previous identified effects. The mitigation for compensatory replacements utilizes the same replacement ratio, and site tree protection measures are still adequate to address remaining oak trees.
- There are no changes with respect to the circumstances under which the project is undertaken that would require a major revision to the previous Negative Declaration due to the involvement of new

significant environmental effects or a substantial increase in the severity of previously identified ones. Prior approved oak tree removals were inconclusive as to the actual number of trees proposed to be removed. As noted above, oak tree removals do not require a CEQA analysis and are not subject to CEQA in and of itself, and tree replacements are proposed in accordance with the City's standards.

- New information of substantial importance that was not known or could not have been known without the exercise of reasonable diligence at the time the previous ND was adopted shows any of the following:
 - The project will have one or more significant effects not discussed in the previous ND. Oak tree removals were discussed in the prior ND, and oak tree removal effects are discussed in this evaluation. All impacts will be reduced with the mitigation identified in the previous ND and those mitigation measures are equally applicable to the Proposed Project.
 - Significant effects previously examined in regard to oak trees will be substantially more severe than disclosed in the previous ND, since the actual number of oak trees proposed to be removed with the Original Project were inconclusive, yet the Proposed Project would be consistent with adopted mitigation for oak tree removals.
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt them. The project proponent accepts all feasible mitigation measures imposed on the Original Project and that are equally applicable to the Proposed Project. With the imposition of mitigation, no new or increased effects would result and all impacts will be reduced to a level of insignificance.
 - Mitigation measures or alternatives that are considerably different from those analyzed in the previous document would substantially reduce one or more significant effects, but the project proponents decline to adopt the measures or alternative. The project proponent accepts all feasible mitigation measures imposed on the Original Project and that are equally applicable to the Proposed Project. No new or different measures exist to further reduce the potentially significant effects, and all impacts will be reduced to a level of insignificance with the mitigation identified in the previous ND.

Finding: No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

d) Wetland habitat (e.g., marsh, riparian and vernal pool)?

Original Project

Open Water/Pond, Freshwater Marsh, Riparian Forest, and Riverwash/Seasonal Drainage and Vernal Pool habitats were identified on site. Of these habitat types, only the Open Water/Pond and Freshwater Marsh areas contain wetlands. These habitats are the result of the artificially created stock ponds, three (3) of which occur on the site. The development plans have been designed to avoid development and development impacts around these ponds. Furthermore, the ponds are proposed to be enhanced with native vegetation that will enhance the habitat value of the ponds.

To reduce impacts to the ponds and waterways, directly or indirectly, the following measures shall be observed by project development.

Open Water/Pond, Freshwater Marsh, Riparian Forest, and Riverwash/Seasonal Drainage

B-24: Implement erosion control measures during construction and limit construction activities to dry weather to avoid impacts to wetland habitats related to increased runoff and sedimentation from development areas.

B-25: During construction, avoid all cleaning and refueling of equipment and vehicles within the vicinities of existing drainages and associated wetland habitat, as well as in the vicinities of the ponds.

B-26: Following completion of construction-related activities, immediately revegetate all disturbed and barren areas with appropriate native vegetation to reduce the risk of erosion and sedimentation in adjacent drainages.

The Biological Resource Assessment that was conducted did not discover any special status species in and around these wetland areas, but identifies the development sensitivities in building near these features and the need to obtain appropriate permits as required by Trustee and Responsible Agencies. The early identification of these sensitive areas and the ability in the future to adequately review and mitigate impacts on a project-specific level would reduce this to a less than significant impact.

B-27: In development areas, a qualified biologist shall conduct a wetland delineation to determine precise boundaries and total area of affected wetland. Development shall be limited to areas located a minimum of 50 to 10 feet from the upland extent of the wetland boundary. The distance of the wetland setback shall take into account the existing functions and values associated with the identified wetland, and the level of intensity of the proposed adjacent development.

Vernal Pools

Caltrans biologist Mitch Dallas conducted a site survey in March 2001 where he found Vernal Pool Fairy Shrimp existing in a seasonal vernal pool located near the southwest corner of the Black Ranch. This species is listed as federally endangered by the United States Fish and Wildlife Service, though it has no special status in California. The maximum extent of the Vernal Pool Watershed is identified in Attachment 7. The following mitigation measures shall be incorporated into the project.

B-28: Prior to construction, the applicant shall map, via topographic survey at one foot contours, the entirety of the watershed of Pool #1 and Pool #2. The noted watershed boundary shall be clearly flagged in the field so that the watershed margin is plainly visible.

B-29: The applicant shall reconfigure the proposed golf course to avoid the mapped VPFS watershed required to be delineated. If complete avoidance is not possible or is infeasible, development within the mapped watershed area shall be minimized to the extent practicable. Residual impacts to the mapped watershed (those remaining after minimization) shall be mitigated in coordination with the USFWS.

B-30: During site development, heavy equipment shall not be allowed to operate within the noted and flagged watershed. Equipment refueling and/or washing shall not be allowed within 50 feet of the flagged boundary.

B-31: Herbicide and/or pesticide use shall not be allowed within the delineated watershed boundary.

B-32: Prior to final project design, and over the next two years after construction, the applicant shall retain a qualified, permitted VPFS biologist to conduct surveys for this species and other sensitive crustaceans within vernal pool habitats of the Black Ranch property. The final project design shall be modified accordingly following the noted surveys and dependent upon their results.

Proposed Project

The biological health of existing site has degraded since the Original Project was approved due to over-grazing and drought conditions. However, the Proposed Project is designed to minimize and/or avoid impacts to the various habitats on the site including the in-stream ponds, riparian habitat and upland support drainages located on the site to maximum extent possible. Temporary disturbance of site drainage features will occur during construction. In these instances, the Proposed Project is designed to restore areas of disturbance to a better habitat condition than currently exists, and restore the ecological functions and improve these features. Consistent with original MND mitigations, any disturbance to streams or drainages would necessitate obtaining required permits in compliance with State requirements for Stream Alteration Permits and Federal permits in compliance with Section 404 of the Clean Water Act.

With regard to riparian and vernal pool habitats, the updated biological assessment identified the following site characteristics and potential impacts (see below). The assessment below confirms that site characteristics have not changed since adoption of the MND, and impacts would remain the same. Further, mitigation already imposed on the Original Project would continue to be recommended and would ensure any potentially significant impact is reduced to less than significant. Therefore, as noted, the Proposed Project impacts would be no greater than previously determined, and adopted mitigation measures are adequate to mitigate potential impacts to a less than significant level. (See full Biological Resource Study for full description of updated analysis on impacts and recommended mitigations.)

Riparian

A thin band of riparian habitat was observed along the constructed upper pond in the central tributary drainage in the southern part of the site. This habitat is consistent with the Central Coast Arroyo Willow (*Salix lasiolepis*) Riparian Scrub plant community described by Holland (1986), as well as the red (*Salix laevigata*) and arroyo willow thickets described by Sawyer et al. (2009). Since the site has been intensely grazed, the riparian habitat was not well developed, but consisted of a thin band of poorly developed shrubs along the banks of the pond. The ponds were constructed to provide water for cattle and sheep, and these animals graze the shrub material restricting its growth to a small area. Although riparian habitat is present just outside the northern property line, no other stands of riparian habitat were observed onsite during the field investigation.

Since the riparian habitat structure onsite is not well-developed, it is of marginal value to many species that rely on dense willow thickets, larger trees and a mosaic of understory plants along riverine systems for nesting, food and cover during periods of movement. Further, the riparian habitat onsite appeared to be relatively young in structure since the willows present were not very large. As a result, typical inhabitants of riparian woodland habitats would not be expected to be present. More common amphibians and reptiles such as the Pacific chorus frog (*Pseudacris regilla*), and western fence lizard (*Sceloporus occidentalis*), and mammals such as raccoon (*Procyon lotor*), opossum (*Didelphis virginiana*), striped skunk (*Mephitis mephitis*) would be expected to use the ponds onsite. The larger trees and shrubs could also support birds such as the house wren (*Troglodytes aedon*), ruby-crowned kinglet (*Regulus calendula*), song sparrow (*Melospiza melodia*), black phoebe (*Sayornis nigricans*), goldfinches (*Carduelis* spp.).

The water in the ponds and the wetness of the soil increase the value of this habitat for wildlife. Typically, where surface water is present, wildlife, including birds, mammals and reptiles are likely to use this habitat for drinking. In addition, several aquatic species such as the Pacific chorus frog use seasonally ponded water adjacent to or within riparian habitat for breeding. Riparian habitats also help improve water quality by protecting stream banks from erosion, and filtering sediment and some pollutants from runoff before it enters streams.

Vernal Pool

Vernal pool habitat onsite is likely a combination of described habitat types such as the Non-Native Grassland, the Northern Claypan Vernal Pool and Vernal Marsh habitats described by Holland (1986). Two small areas of seasonal ponded water were identified in the southeast corner of the site along the Highway 46 East corridor. As a part of the Highway 46 Corridor Improvement Project, California Department of Transportation biologists located two areas of seasonally ponded water in a relatively flat grassland area. Since surveys for this investigation were conducted during the dry summer months and the area had been grazed, it appears that these two features are located in a small topographic swale in a grassland area. It is possible that other annual plants representative of seasonal wetland habitat occur in these features, especially during years of normal to above normal precipitation, but none were observed.

Given the small size of the seasonally ponded areas, they are likely limited to use by opportunistic wildlife such as western spadefoot (*Spea hammondi*) and western toad (*Anaxyrus boreas*). The federally threatened vernal pool fairy shrimp (*Branchinecta lynchi*) was also identified in one of these pools in the Caltrans study.

Drainage Features and Constructed Ponds

Dry Creek and five unnamed tributary drainages are present onsite and their locations are shown on Figures 2 and 3 in the updated biological assessment. Dry Creek is an ephemeral drainage feature that appears to contain water during and immediately following large storm events in normal or above average rainfall years. Ponded or flowing water was not present at the time of the summer and fall surveys. It bisects the property in a relatively east to west direction and connects to the Huerfuero River further west of the site in the vicinity of Airport Road. The other five tributary drainages onsite did not show evidence of recent flow given their relatively small watersheds and the below average rainfall experienced over the

last year. The two central drainages have been altered from their historic similar to the other two central drainages discussed above. It is lined with blue oak woodland and grassland habitats, and its watershed is confined to the southeast portion of the site. The two small areas of seasonally ponded water identified as vernal pool habitat are located upslope from the first signs of a bed and bank in a soft swale that drains into this feature. Compared to the other two central drainages, this drainage feature has an observable connection to Dry Creek. Based on the presence of a defined bed and bank and hydrologic connection to Dry Creek, it is anticipated that this drainage feature would fall under the Corps and RWQCB as a waters of the U.S. and State of California. It would also fall under the regulatory authority of CDFW pursuant to California Fish and Game Code.

Another drainage feature (Drainage 5) is present in the northern part of the property to the west of the proposed Golf Academy and east of a crop production area. It appears to originate offsite, and may have hydrologic input from surface runoff and other sources associated with a neighboring commercial/industrial development. Aerial photograph review on Google Earth showed this drainage feature being enhanced through increased hydrologic input with the development of the neighboring property. A drainage basin can be seen in aerial imagery, and between the years of 2004 to 2011 the areal extent of riparian habitat offsite increases. An earthen berm was also constructed on the project site in what appears to be an effort to contain surface flows from offsite. This was confirmed during a site survey in April 2014. The development envelop of the Proposed Project is not located in the area of the drainages described above, nor will it be located in drainage areas to the west of the proposed Golf Academy, crop area, or casitas units. Therefore, the project will avoid these resources and not impact riparian habitat in these areas. The proposed Open Space Management Plan is intended to help restore the degraded habitat areas. Based on the presence of drainage patterns onsite, direct connection to Dry Creek, and riparian habitat located just north of the property line, it is expected that this drainage feature would also fall under the Corps and RWQCB as a waters of the U.S. and State of California, as well as a CDFW jurisdictional area pursuant to California Fish and Game Code. As stated above, a wetland delineation will be prepared to characterize the drainage features further and identify the extent of Corps, RWQCB and CDFW jurisdiction on the property.

The proposed project would develop approximately 132 acres of the 386-acre site. Construction would take place in phases over the course of multiple years. The project has been designed to develop around and minimize impacts to onsite drainages. The drainages and pond features would be restored and enhanced as part of the project's overall aesthetic appeal. While the ephemeral drainage features in the project area may be temporarily impacted during grading and site development, they will continue to be an important element of project design. The seasonal or vernal pools with known occurrences of vernal pool fairy shrimp in the southeast corner of the site have been avoided and a buffer developed to protect and maintain the hydrology of the area. The majority of development will occur in annual grassland habitat, and it is anticipated that some oak trees and oak woodland habitat would be affected.

A conservative estimate of total ground disturbance was developed based on the review of the Master Site Plan (SDG Architects, 11/22/2013) and the Preliminary Grading and Drainage Improvement Plans prepared by Civil Design Solutions (CDS, 11/22/2013) for the project. Please refer to Figure 7, the Habitat Impact Map included in the KMA biological

study, for the anticipated limits of ground disturbance associated with the project. Based on these plans it is estimated that approximately 210 acres may be affected by grading activities associated with full build-out of all phases associated with the project. This is a worst case scenario, and it is likely that not all of this area will be affected since a primary component of the project will be landscaping and the development of various gardens. Still, to construct an approximately 132-acre project, additional areas will be temporarily disturbed during grading and construction of Discovery Garden, resort/conference center, casitas areas, crop production areas, the golf academy, roads, recreation trails, and other infrastructure.

Findings:

- Substantial changes are proposed for the project that will require major revision of a previous Negative Declaration due to the involvement of new, significant environmental effects or a substantial increase in the severity of previous identified effects;
- Substantial changes with respect to the circumstances under which the project is undertaken, requiring major revision to a previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified ones;
- New information of substantial importance that was not known or could not have been known without the exercise of reasonable diligence at the time the previous ND was adopted shows any of the following:
 - The project will have one or more significant effects not discussed in the previous ND.
 - Significant effects previously examined will be substantially more severe than disclosed in the previous ND.
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt them.
 - Mitigation measures or alternatives that are considerably different from those analyzed in the previous document would substantially reduce one or more significant effects, but the project proponents decline to adopt the measures or alternative.

Finding: No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

e) Wildlife dispersal or migration corridors?

Original Project

The Dry Creek streambed serves as a resource for wildlife movement and provides connections to larger movement corridors such as the Huerhuero River. As described in (a) above, the preservation of 114 acres of habitat for Kit Fox will serve to mitigate wildlife dispersal and migration corridors.

Proposed Project

No native resident or migratory fish species are located on the project site. However, the site is located within the SJKF migration corridor. As noted in the Project Description, the Proposed Project is designed with a significant amount of natural open space located around the entire property, and many of the proposed uses (e.g. gardens, golf area, and landscaping) are low-density and will not significantly impede migration. Impacts to migration corridors would therefore be lessened since the overall area of site disturbance would be decreased with the Proposed Project, which would maintain wildlife dispersal and migration corridors on the site. The project mitigation measures included to address SJKF include several on-site measures to facilitate movement through the site, provide safe harbors on-site, and appropriate property fencing to allow kit fox to migrate through the property. Thus, the Proposed Project provides a better and larger movement corridor than with the Original Project.

Findings:

- No substantial changes are proposed for the project related to wildlife movement corridors that will require major revisions of the previous Negative Declaration due to the involvement of new, significant environmental effects or a substantial increase in the severity of previous identified effects since the Proposed Project includes less site disturbance and would allow for better, more cohesive wildlife movement through the property, and therefore not cause new or increased significant environmental effects.
- There have not been substantial changes with respect to the circumstances under which the project is undertaken with respect to wildlife movement associated with this project, that would require major revision to the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified ones. The Proposed Project is an improvement over the Original Project since it disturbs less of the site and the habitat will be enhanced through implementation of the Open Space Management Plan.
- There is no new information of substantial importance that was not known or could not have been known without the exercise of reasonable diligence at the time the previous ND was adopted shows any of the following:
 - The project will result in one or more significant effects not discussed in the previous ND. In actuality, no new significant effects will result related to wildlife migration, and the Proposed Project will be an improvement over the Original Project as the Proposed Project will disturb less of the site and the habitat will be enhanced through implementation of the Open Space Management Plan.

- Significant effects previously examined will be substantially more severe than disclosed in the previous ND. The updated biological studies did not find that the Proposed Project would result in more severe effects than previously disclosed, and the habitat migration impact will be lessened as the Proposed Project will disturb less of the site, and the habitat will be enhanced through implementation of the Open Space Management Plan.
- Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt them. The project proponent accepts all feasible mitigation measures imposed on the Original Project, that are equally applicable to the Proposed Project, and that would reduce all habitat migration corridor impacts to a level of insignificance.
- Mitigation measures or alternatives that are considerably different from those analyzed in the previous document would substantially reduce one or more significant effects, but the project proponents decline to adopt the measures or alternative. The project proponent accepts all feasible mitigation measures imposed on the Original Project, that are equally applicable to the Proposed Project, and that would reduce all habitat migration corridor impacts to a level of insignificance. No new or different measures exist to further reduce the already mitigated effects.
-

Findings:

Finding: No new or substantially more severe significant effects would occur and no additional mitigation measures are required.

5. Aesthetics

a) Affect a scenic vista or scenic highway?

Original Project

The project area is directly adjacent to Highway 46 East, a heavily traveled east/west corridor and major entrance to the City of Paso Robles. The appearance of the development from Highway 46 would warrant careful consideration, as this is a visually sensitive corridor. The nature of the uses conceptually proposed would provide good potential for enhanced architecture and the extensive use of landscaping and other visually pleasing project features. The future development review process within the City of Paso Robles would provide an appropriate opportunity for detailed review of visual impacts of new development. In order to develop the resort area, approximately 45,000 cubic yards of earth will be moved. The golf course area is anticipated to include an additional 300,000 cubic yards of earth. With the following mitigation measures, impacts to the scenic corridor would be considered mitigated to a level of less than significant.

AE-1: Grading shall be designed to balance on-site. All slopes visible from the highway shall be contoured and graded to appear natural. All slope and graded areas shall be re-planted with native species, grasses, or other landscaping, as indicated on the proposed landscape plan.

Proposed Project

In accordance with the City's 2003 General Plan, Conservation Element (Figure C-3), the Proposed Project would be located in a Visual Corridor and Gateway to the City along State Route 46 East (SR 46). The Conservation Element states, "Development in visual corridors shall be designed to make a positive visual impression and incorporate/preserve natural features." The project location is also identified in the City's Gateway Design Standards as "Gateway H". Several design recommendations are set forth in the document to guide new development in this area to retain the rural character of the corridor.

A visual analysis utilizing photo-simulations was prepared for the Proposed Project which identifies the locations of proposed building footprints and shows the visibility of new structures and grading from the public right-of-way (SR 46E). The photo-simulations key the building foundations to future graded building pad heights and then impose the proposed buildings to scale on the site. The site photos then demonstrate views of the project from specific locations along the view corridor of the highway. See Attachment 6, Photo Simulations.

The existing topography of the site adjacent to the highway is above the grade of the highway. The existing hillsides next to the highway largely block views of the conference center and portions of the casitas. The hotel site is more visible, however, it is set back deep into the property, therefore the scale of the hotel is not abrupt when viewed along the highway. It will be important to minimize the visual impact of the conference center and hotel. This can be accomplished through utilizing sensitive site design, minimizing and using contour "natural" appearing grading techniques, use of landscape screening to soften the appearance of buildings, building designs that are well-articulated, and use of colors and materials that help blend the resort in with the natural landscape. Most of the structures for Phase I are set back several hundred feet from the highway, and are designed with the natural landscape minimizing grading, which obscures visibility of Phase I.

Overall, site development is proposed to be set back deep within the site and is intended to blend in with the natural character of the property. The buildings are proposed to be located in a low-density pattern around the site, similar to surrounding agricultural buildings and wineries in the vicinity. Therefore, the project achieves the goals of retaining the rural character of the gateway identified in the General Plan and Gateway Design Standards, and visual impacts are anticipated to be less than significant. The visual impacts of the Proposed Project are similar to, and would not result in new or more severe impacts than what would result with development of the Original Project, even though the site layout of buildings has changed. The mitigation measures adopted with the Original Project are exactly the same as what would be necessary to minimize visual impacts from the Proposed Project.

Findings:

- There are no substantial changes proposed for the project that will require major revisions of the previous Negative Declaration, relative to visual impacts, due to the involvement of new, significant environmental effects or a substantial increase in the severity of previous identified effects.

Although the layout of buildings on the project site is changed from the Original Project, no substantial changes involving new or increased impacts will occur. In fact, the buildings continue to be set back from SR 46 and the originally identified mitigation in the previous ND would continue to lessen any potential impact to a level of insignificance.

- There have been no substantial changes with respect to the circumstances under which the project is undertaken, requiring major revisions to the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects. Although the layout of the buildings will change with the Proposed Project as compared to the Original Project, the buildings will be set back from SR 46 and the previously identified mitigation measures will continue to be applicable to reduce all potentially significant aesthetic effects.
- New information of substantial importance that was not known or could not have been known without the exercise of reasonable diligence at the time the previous ND was adopted shows any of the following:
 - The project will have one or more significant effects not discussed in the previous ND. , No new effects have been identified related to visual impacts with the Proposed Project as compared to that already disclosed for the Original Project.
 - Significant effects previously examined will be substantially more severe than disclosed in the previous ND. No increased effects have been identified related to visual impacts with the Proposed Project as compared to that already disclosed for the Original Project.
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponent decline to adopt them. The project proponent accepts all feasible mitigation measures imposed on the Original Project, that are equally applicable to the Proposed Project, and that would reduce all aesthetic impacts to a level of insignificance.
 - Mitigation measures or alternatives that are considerably different from those analyzed in the previous document would substantially reduce one or more significant effects, but the project proponents decline to adopt the measures or alternative. The project proponent accepts all feasible mitigation measures imposed on the Original Project, that are equally applicable to the Proposed Project, and that would reduce all aesthetic impacts to a level of insignificance. No new or different measures exist to further reduce the already mitigated effects.
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Finding: No new or substantially more sever significant effects would occur and no additional mitigation measures are required.

B. Other Topics Evaluated in the 2002 Initial Study and Mitigated Negative Declaration

1. Land Use and Planning

There have been no changes in the circumstances related to land use planning (e.g. new annexations nearby, changes in the General Plan land use designations in the vicinity, or new land use regulations that apply to the site) between when the Original Project was approved and the present.

The original analysis on this topic identified that resort hotels with accessory golf courses are permitted land uses in the Parks and Open Space zone with approval of a Conditional Use Permit, and is consistent with the land use designation of the General Plan. Per Chapter 21.16, Table 21.16.200, any use not specifically listed as a permitted use may be determined by the Planning Commission to be similar to another permitted or conditionally permitted use within a particular zoning district. The Planning Commission will consider this interpretation of land use in considering the amendment to the Conditional Use Permit.

The scope of the Proposed Project would not result in new or significantly more severe impacts related to land use compatibility because it includes similar land uses -e.g. resort and outdoor commercial recreation. Therefore, it is determined that the Proposed Project will not conflict with, and would be compatible with, the zoning and General Plan land use designation that applies to this property.

Existing surrounding land uses are the same as was in existence in 2002 when the Original Project was approved, and includes agriculture/vineyards, wineries, a golf course, and planned/light industrial to the far north of the site. The project would include large setback buffers around the periphery of the property. Therefore, the Proposed Project would be compatible with surrounding land uses.

Therefore, potential land use-related effects continue to be less than significant.

2. Population and Housing – same or less impacts

There has been no significant change in circumstances related to population and housing since the Original Project was approved. The three existing (dilapidated) homes that were previously located on the site have been removed since the Original Project was approved, however, these older homes were unoccupied, not in good condition, and were an “attractive nuisance”. Removal of these homes would not be determined a significant change in circumstances. The Proposed Project would not displace existing residents.

No new residential development was included in the Original Project and no new residences are included with the Proposed Project. There are no existing homes located on the site or in the near vicinity. Thus, the Proposed Project would not result in any new or more severe impacts than the Original Project.

Infrastructure, including water, recycled water, and sewer lines, are already planned to be extended to the site and property surrounding the project site. The project is not anticipated to induce growth or impact existing housing.

Therefore, potential effects related to population and housing continue to be less than significant.

3. Geologic Problems

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. There are two known fault zones on either side of the Salinas Rivers valley. The Rinconada Fault system runs on the west side of the valley, and grazes the City on its western boundary. The San Andreas Fault is on the east side of the valley and is situated about 30 miles east of Paso Robles. The City of Paso Robles recognizes these geologic influences in the application of the California Building Code (CBC) to all new development within the City. Review of available information and examinations indicate that neither of these faults is active with respect to ground rupture in Paso Robles. Soils and geotechnical 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. There are no Alquist-Priolo Earthquake Fault Zones within City limits.

There are no differences related to potential geological effects between the Original Project and the Proposed Project, and there have been no changes in circumstances between when the prior project was approved and the present.

Therefore, potential geological effects continue to be considered less than significant.

4. Energy and Mineral Resources

Consistent with the Original Project, the Proposed Project would be designed and constructed in accordance with all applicable energy and building codes (e.g. Title 24). Current energy-related building codes require more energy efficient systems than codes that would have applied when the Original Project was approved, therefore potential effects related to energy use would be less than what would have previously occurred. Additionally, there are no changes in circumstances related to energy efficiency or energy use that have occurred since the Original Project was approved.

There are no known mineral resources within the City of Paso Robles and that conclusion remains the same since the Original Project was analyzed.

Therefore, potential effects related to energy and mineral resources continue to be considered less than significant.

5. Hazards

Hazard-related issues and circumstances are the same now as when the Original Project was approved. The nature of the Proposed Project is similar to that of the Original Project and would therefore not result in new or more severe effects related to hazards. Future uses of the site would use and store landscape and hospitality products in accordance with industry standards to ensure safe handling and reduce upsets or spills. Site development would comply with applicable fire and safety codes.

Therefore, potential effects related to hazards continue to be considered less than significant.

6. Water Resources

The Original Project analysis did not disclose and/or evaluate the potential impacts of the project on groundwater use for the project. A recent groundwater report prepared for San Luis Obispo County (Fugro, 2010), indicates that there was information available as early as 1997 that the groundwater basin was not being replenished at previous, historical rates due to weather patterns (dry years) and anthropomorphic uses. Thus, the circumstance of groundwater sustainability has been and continues to be of concern. The water demand analysis prepared for the Proposed Project (see attachment 4), indicates that the revised project would use substantially less overall water for domestic and irrigation water needs (e.g. 238.8 acre-feet per year (AFY) for the Proposed Project vs. 569.2 AFY for the Black Ranch). With the change of the project land uses from including the 27-hole golf course which would be totally reliant on groundwater wells, and would use approximately 508.4 AFY of groundwater, to the Discovery Gardens and the golf academy, the Proposed Project would only use 90.9 AFY of groundwater from existing wells. The overall water demand for the Proposed Project would be about 42% of what is estimated for the Original Project.

Furthermore, the project will be conditioned to use recycled municipal water when recycled water becomes available, and it is offered for use by the City of Paso Robles. The City's Recycled Water Master Plan identifies recycled water lines to serve the Black Ranch project. This would result in significant environmental benefits by eliminating reliance on groundwater for the Proposed Project, as compared to the Original Project. Additionally, the City's overall water supply resources have been augmented to reduce reliance on groundwater resources through acquisition of surface water resources. The 2010 Urban Water Management Plan, page 21, notes the following:

“The City is progressing with its plans for a water treatment plant (WTP) to treat surface water received from Lake Nacimiento. The WTP is being designed to treat 4 million gallons per day (mgd), with construction to begin in 2015. The WTP can be expanded to treat 6 mgd to meet future demands (Paso Robles website, October 13, 2010). Specific facilities include a water treatment plant, treated water reservoir and pump station, transmission pipeline, appurtenances and other site improvements (Padre, 2008). Half of the initial 4,000 AFY Nacimiento allocation and half of the 4 mgd Phase 1 treatment plant capacity are to replace lost well production capacity and improve water quality. The remaining capacity is to provide for new development. In order to limit reliance on the highly-stressed groundwater basin new development—per City policy—is required to be served with surface and recycled water. Therefore, the second 1,400 AFY Nacimiento allocation, the 2 mgd treatment plant expansion, and recycled water infrastructure will be funded by development.”

7. Noise

The Original Project MND did not identify potential noise impacts that would be generated by the operations of the project. The Original and Proposed Project land uses (e.g. lodging, golf and garden-park) do not generally create significant noise, and there are no noise-sensitive land uses in the near vicinity. The applicant will be required to record an avigation easement, and will be noticed regarding potential noise that may impact the site from the existing Paso Robles Airport. There has been no change in noise-related circumstances that apply to the Proposed Project that are different from the Original Project. Therefore, potential effects related to noise continue to be considered less than significant.

8. Public Services

The applicant would be required to pay development impact fees in proportion to the cost that the proposed project would demand for public services, including police & fire protection, and other municipal services. It is not anticipated that the Proposed Project would demand additional municipal services in comparison to the demand for the Original Project.

Therefore, potential effects related to the provision of public services continue to be considered less than significant.

9. Utilities and Services

The Original Project would have been served with municipal utilities and services. The proposed project would also be served with municipal water and sewer services. The City's Urban Water Management Plan and Sewer Master Plan include development assumptions to serve the proposed land uses on the site. The City's wastewater treatment plant and water treatment plant are presently being upgraded which will be an environmental benefit to ensuring adequate City services for this project.

Therefore, potential effects related to utilities and services continue to be considered less than significant.

10. Cultural Resources

Prior archaeological resource studies have determined that the subject property has a low potential for cultural resources. However, should any be discovered during site construction, all work would cease until the project archeologist is contacted to evaluate the resources and determine correct procedures to address the resources. The circumstances as it relates to cultural resources has not changed between when the Original Project was approved and the present. The potential for effects to cultural resources and the protocol and procedures to address them if they should be discovered would not change with the Proposed Project.

Therefore, potential effects related to cultural resources continue to be considered less than significant.

11. Recreation

This project, whether as originally approved or as proposed, will not result in encouraging significant population or housing growth since it is a tourist-oriented commercial development. Thus, it is not considered to be a "growth-inducing" project. Since the original and proposed projects are determined to not be growth inducing, it will not result in a significant demand for new or expanded parks or park related services. Therefore, the Proposed Project will not result in potentially significant environmental impacts related to parks development.

Therefore, potential effects related to recreation facilities and/or services continue to be considered less than significant.

12. Mandatory Findings of Significance

The Original Project was determined to not result in significant environmental effects, with mitigation measures implemented for various topics. The Proposed Project has been evaluated to determine if it would result in any new or more severe environmental effects than were previously disclosed. As demonstrated in the forgoing analyses, the Proposed Project would not result in any potentially significant effects not previously disclosed, and in fact, the Proposed Project would in many cases result in less potential environmental effects than the Original Project.

Mitigation measures that were incorporated with the Original Project are still relevant and equally applicable to the revised Proposed Project to reduce potential impacts to a less than significant level.

C. Mitigation Measures

See the attached Mitigation and Monitoring Program in Attachment 1.

IV. Conclusion

On the basis of the evaluation presented in Section II, the changes within the Proposed Project (which would not trigger any of the conditions listed in Section I.D of the Addendum), would not require preparation of a subsequent or supplemental environmental impact report or negative declaration under CEQA Guideline 15162 or 15163. Thus, this Addendum satisfies the requirements of CEQA Guidelines sections 15162 and 15164. The proposed project does not introduce new significant environmental effects, substantially increase the severity of previously identified significant environmental effects, and no new or different mitigation measures or alternatives exist.

Overall, the Proposed Project would result in similar effects to those of the Original Project with similar operations as those which were originally proposed and would therefore generate comparable, if not reduced, effects. The Proposed Project would not result in new significant effects or effects that would be substantially more severe than those identified in the 2002 IS/MND. The mitigation measures included in the original MND apply to the Proposed Project and would remain applicable. Those that should be removed because they no longer apply (e.g. highway turn lane improvements that were previously required, but have already been constructed) include an explanation of why they are no longer needed.

The analyses and conclusions of the 2002 IS/MND remain current and valid and would not change with the implementation of the Proposed Project. The proposed revisions to the project, would not cause new or substantially more severe significant effects than those identified in the 2002 IS/MND, and no new information has become available that shows that the project would cause significant environmental effects not already analyzed in the 2002 IS/MND. Therefore, no further environmental review is required beyond this Addendum to the 2002 IS/MND.

Attachments

Attachment 1 - 2002 Mitigated Negative Declaration

Attachment 2 - Entrada de Paso Robles Master Site Plan

Attachment 3 - Black Ranch Master Plan

Attachment 4 - Storm Water Control Plan

Attachment 5 - Air Quality Management Plan

Attachment 6 - GHG Analysis

Attachment 7 - Traffic Generation Comparison Study

Attachment 8 - Biological Resources Assessment

Attachment 9 – Biological Resource Memorandum

Attachment 10 - Arborist Report

Entrada de Paso Robles - Mitigation and Monitoring Program

The following mitigation measures and monitoring shall be implemented in order to mitigate the impacts to a level of less than significant. The City and the Applicant shall delegate the authority and environmental quality assurance to a third-party Environmental Monitor (EM). The EM shall monitor and report on the activities where noted in the table below. The EM may be one or more individuals depending on the specialty involved.

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
Water Quality	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff	W-1: Detention and storm drain systems will be channeled to storm drainage facilities to be reviewed and approved by the City Engineer. Storm water discharge from the proposed development will be designed to maintain historic flows to offsite channels.	Prior to issuance of construction or grading permits	Public Works (PW) Dept.
Water Quality	Drainage under oak trees	W-2: Drainage patterns will not be altered to allow new runoff to drain into the drip line of existing oak trees.	Prior to issuance of construction or grading permits	Public Works (PW) Dept.
Water Quality	Discharge of storm water into surface waters.	W-3: Submit final grading and drainage plans for review and approval by the City Engineer.	Prior to issuance of construction or grading permits	Public Works (PW) Dept.
Water Quality	Impacts to groundwater quality	W-4: Applied Irrigation rates will utilize local evapotranspiration information to reduce the amount of groundwater infiltration by irrigation water.	Monitor after construction and submit a report after the first year of operation	EM
Water Quality	Impacts to groundwater quality	W-5: Fertilizer will not be applied within 24 hours before a predicted rainfall to minimize leaching by rainwater,	Monitor after construction and	EM

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
		and soils will be tested and monitored for nutrient levels to ensure fertilizer application rates match uptake rates by turf grasses. Such monitoring shall be conducted annually by the course management and the results made available to the Agricultural Commissioner.	submit a report after the first year of operation	
Water Quality	Impacts to groundwater quality	<p>W-6: The Applicant will develop an Integrated Golf Course Management Program (IGCMP) with specific guidelines on the use of pesticides and fertilizers to reduce the use of chemical applications that could contaminate the ground water. Pest Management practices to be addressed in the Plan are:</p> <ul style="list-style-type: none"> • Anti-back siphoning devices shall be used in application equipment to reduce the potential for pesticide contamination of groundwater of other water supplies during irrigation. • Slow release organic fertilizers will used wherever possible as an effective biological method to help suppress many turf pathogens. • The use of bacterial additives to enhance nitrogen uptake and improve turf disease resistance shall be considered when these become commercially available. • All chemicals shall be applied by or under the supervision of a trained, licensed operator following all manufacturer's directions for proper chemical/ fertilization application and container disposal procedures. • To act as a buffer between turf and natural vegetation zones, a band of native perennial grass shall be established adjacent to the short rough. This buffer will filter the non-point source fertilizer runoff. 	Prior to issuance of any grading or construction permits for the golf course	Planning Division

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
Air Quality	Asbestos Mitigation	AQ-1: Prior to demolition, the Applicant shall notify the San Luis Obispo APCD of all facility demolitions at least ten working days before asbestos stripping or removal work begins. The information required for the notification must be reported a "Notification of Demolition and Renovation" form that can be obtained at the APCD. This form includes demolition of facilities that may contain no asbestos.	Prior to any demolition permits	APCD
Air Quality	Asbestos Mitigation	AQ-2: Prior to demolition, the Applicant shall implement the following steps: <ul style="list-style-type: none"> • The facility shall be inspected and building materials sampled and tested to determine the presence or absence of asbestos. • Samples must be tested by an EPA accredited analytical laboratory, and with an approved EPA asbestos method to determine the percent of asbestos present. • Inspections and testing shall be completed and results obtained by the owner, operator or contractor prior to the start of the renovation or demolition. • Test results shall be kept on site and made available to the APCD upon request. 	Prior to any demolition permits	APCD
Air Quality	Asbestos Mitigation	AQ-3: Prior to and during demolition, the Applicant shall assure the following steps are completed: <ul style="list-style-type: none"> • Demolition may begin when it is determined that asbestos containing materials are not present, and all notification of the National Emission Standard for Hazardous Air Pollutants (NESHAP) are met. 	Prior to and during demolition permits	APCD

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
		<ul style="list-style-type: none"> • If asbestos containing materials are present, demolition activity must be done in compliance with the NESHAP. • If proof of inspection and building material testing cannot be provided to the APCD, demolition activity will be required to stop. • Activity may resume only with APCD approval. • Upon receipt of an adequate "Notification of Demolition and Renovation", the APCD will issue a written Authorization Letter and fee invoice to the owner/operator of the facility. • The primary purposes of the Authorization Letter are to verify project start and end dates, to assure that all parties are aware of APCD and EPA requirements, and that those requirements will be adhered to during the abatement. 		
Air Quality	ROG and NOX	AQ-4: If it is determined that portable engines and portable engines will be utilized, the contractor shall contact the County of San Luis Obispo APCD and obtain a permit to operate portable engines prior to commencement of construction. Portable equipment shall be registered in the statewide portable equipment registration program.	Prior to issuance of any construction permits	APCD
Air Quality	ROG and NOX	AQ-5: Oxidizing soot filters shall be installed on 5 pieces of equipment expected to see the heaviest use or which have the highest emissions during construction. Where catalytic soot filters are determined to be unsuitable, the owner shall install and use an oxidation catalyst.	Prior to issuance of any construction permits	APCD

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
		<ul style="list-style-type: none"> Suitability is to be determined by an authorized representative of the filter manufacturer, or an independent California Licensed Mechanical Engineer who will submit, for APCD approval, a Suitability Report identifying and explaining the particular constraints to using the preferred catalytic soot filter. Installations must be conducted according to manufacturer's specifications. Proof that the catalytic soot filters have been installed must be provided to the APCD. The APCD shall be notified prior to operation of the equipment with the filters installed. Acceptable proof may be in the form of visual inspection by APCD staff or submittal of filter serial numbers and photos of the equipment with the installed filters. 		
Air Quality	ROG and NOX	AQ-6: Use of reformulated diesel fuel. All off-road and portable diesel powered equipment shall be fueled exclusively with CARB certified diesel.	Prior to issuance of any construction permits	APCD
Air Quality	ROG and NOX	AQ-7: Use 1996 or newer heavy duty off road vehicles to the extent feasible.	Prior to issuance of any construction permits	APCD
Air Quality	ROG and NOX	AQ-8: Use of Caterpillar pre-chamber diesel engines (or equivalent) together with proper maintenance and operation to reduce emissions of oxides of nitrogen (NOX).	Prior to issuance of any construction permits	APCD

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
Air Quality	ROG and NOX	AQ-9: Electrify equipment where possible.	Prior to issuance of any construction permits	APCD
Air Quality	ROG and NOX	AQ-10: Maintain equipment in tune per manufacturer's specifications, except as otherwise required above.	Prior to issuance of any construction permits	APCD
Air Quality	ROG and NOX	AQ-11: Install catalytic converters on gasoline-powered equipment.	Prior to issuance of any construction permits	APCD
Air Quality	ROG and NOX	AQ-12: Use Compressed Natural Gas (CNG) or propane on-site mobile equipment instead of diesel-powered equipment.	Prior to issuance of any construction permits	APCD
Air Quality	PM10 Mitigation	<p>AQ-13: A Dust Control Plan shall be prepared and approved by the APCD prior to commencement of construction activities. The Dust Control Plan shall include the following:</p> <ul style="list-style-type: none"> • Important elements of this plan would be detailed dust mitigation measures and provisions for monitoring for dust during construction. • The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering or other measures as necessary to prevent transport of dust off-site. Their duties shall include holiday 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 construction commencement. 	Prior to issuance of any construction permits	APCD

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
		<ul style="list-style-type: none"> • Compliant handling procedures shall be identified. • A daily dust observation log shall be filled out as necessary. • Reduce the amount of the disturbed area where possible. • 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 shall be used whenever possible. • All dirt stock-pile areas shall be sprayed daily as needed. • Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities. • Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established. • All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD. • All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • Vehicle speed for all construction vehicles shall not 		

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
		<p>exceed 15 mph on any unpaved surface at the construction site.</p> <ul style="list-style-type: none"> • All trucks hauling dirt, sand, or other loose materials are to be covered or shall maintain at least two feet of free board (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114. This measure has the potential to reduce PM₁₀ emissions by 7-14%. • Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site. This measure has the potential to reduce PM₁₀ emissions by 40-70%. • 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 when feasible. This measure has the potential to reduce PM₁₀ emissions by 25-60%. • All PM10 mitigation measures required shall be shown on grading and building plans. 		
Air Quality	Construction Activity Mitigation	AQ-14: A Construction Activity Management Plan shall be prepared and submitted to the APCD for approval prior to implementation.	Prior to issuance of any construction permits	APCD
Air Quality	Off-Site Mitigation	AQ-15: A Construction Activity Management Plan shall be prepared and submitted to the APCD for approval prior to implementation.	Prior to issuance of any construction permits	APCD
Air Quality	Long Term Emissions	The proposed project exceeds the APCD threshold of 25 lbs/day for ROG and NO _x long-term emissions; therefore, the Applicant is required to include all of the APCD Standard Mitigation Measures, all feasible Discretionary Mitigation Measures, and maybe Off-Site	Prior to issuance of any construction permits	APCD

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
		Mitigation Measures. The mitigation measures included in this section shall be enforced in order to mitigate the project to the extent feasible.		
Air Quality	Long Term Emissions	AQ-16: Standard Site Design Measures <ul style="list-style-type: none"> • Orient buildings toward streets with convenient pedestrian and transit access; parking in rear. • Provide preferential carpool parking. • 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 	Prior to issuance of any construction permits	APCD
Air Quality	Long Term Emissions	AQ-17: Standard Energy Efficiency Measures <ul style="list-style-type: none"> • Increase walls and attic insulation beyond Title 24 requirements. • Orient buildings to maximize natural heating and cooling. 	Prior to issuance of any construction permits	APCD
Air Quality	Long Term Emissions	AQ-18: Discretionary Transportation Demand Management Measures <ul style="list-style-type: none"> • Establish an Employee Trip Reduction Program (ETRP) to reduce employee commute trips (i.e. carpooling incentives, vanpools, and transit subsidies). • Employ a transportation/rideshare coordinator. • Implement a rideshare coordinator. • Provide for shuttle/mini bus service for employees, special events, airport/Amtrak services, and services to downtown Paso Robles and Atascadero. • Provide on-site banking (ATM) and postal services, if applicable. • Provide guests with electric carts 	Prior to issuance of any construction permits	APCD

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
		<ul style="list-style-type: none"> • Provide pedestrian pathways throughout the facility. • Cater to group activities using buses and vanpools. • Provide on-site eating, refrigeration, vending for employees. 		
Air Quality	Long Term Emissions	AQ-19: Discretionary Energy Efficient Measures <ul style="list-style-type: none"> • Shade tree planting along southern exposures of buildings to reduce summer cooling needs. • Shade tree planting in parking lots to reduce evaporative emissions from parked vehicles. • Use built-in energy efficient appliances, where applicable. • Use double-paned windows. • Use sodium parking lot and streetlights. • Use energy efficient interior lighting. • Electrify golf carts. 	Prior to issuance of any construction permits	APCD
Air Quality	Long Term Emissions	AQ-20: Off-site Mitigation Measures <ul style="list-style-type: none"> • Operational emissions in excess of 25 lbs/day after implementation of long-term mitigation measures shall be offset at a rate of \$8,500/ton. • Incorporation of an ETRP and electric golf carts may be used to reduce the total emissions. 	Prior to issuance of any construction permits	APCD
Air Quality	Compensatory Off-Site Mitigation	AQ-21: To fully mitigate the impacts from this project, off-site mitigation is required. The District determined that \$15,000 of off-site mitigation is required to be incorporated into the project. Placement of the required \$15,000 off-site mitigation fee into a specified program or in-lieu fee agreement shall be in place prior to commencement of construction activities. The following is a list of potential options that could be funded:	Prior to issuance of any construction permits	APCD

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
		<ul style="list-style-type: none"> • Clean transit bus replacement/repower • Public transit service • Vanpool programs/subsidies • Rideshare assistance programs • Clean school bus replacement/repower/filters 		
Transportation/ Circulation	Increased vehicle trips or traffic congestion.	T-1: Construct left turn channelization to accommodate the eastbound SR 46 Northbound Project driveway left turn movement. Left turn channelization shall be constructed to full Caltrans Standards.	Verify on plans	PW Dept
Transportation/ Circulation	Increased vehicle trips or traffic congestion.	T-2: Construct eastbound SR 46 acceleration lane to accommodate the southbound project driveway to eastbound SR 46 left turn movement. The acceleration lane shall be constructed to full Caltrans Standards.	Verify on plans	PW Dept
Transportation/ Circulation	Increased vehicle trips or traffic congestion.	T-3: Construct right turn channelization to accommodate the westbound SR 46 to northbound project driveway right turn movement. Right turn channelization shall be constructed to full Caltrans standards.	Verify on plans	PW Dept
Transportation/ Circulation	Rail, waterborne or air traffic impacts.	T-4: Record an avigation easement prior to recordation of any final maps or issuance of any building permits.	Verify on plans	PW Dept
Biology	Special Status Plants	B-1: A qualified botanist shall be retained by the Applicant to conduct pre construction surveys for rare plants in those areas proposed for development on site. These surveys shall be conducted within the appropriate flowering periods for the various species reported from the area and identified previously within this report. If rare plant populations are identified within areas likely disturbed by development, the Applicant shall redesign	Prior to issuance of any construction permits and monitoring by the EM one (1) and two (2) years after	Planning Division shall ensure that a botanist is obtained to do the surveys. Should translocation or replanting be required, the EM shall prepare a report one (1) year and two (2) years

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
		the project to avoid the rare plant populations. Should avoidance not be feasible, the Applicant shall translocate the species to other suitable habitat within the project vicinity in accordance with the recommendations of the qualified botanist. Should translocation not be possible, new species shall be planted at a ratio of 2:1. The translocated or replanted species shall be monitored for a period of two (2) years. Replanting shall be performed so that there is no net loss of species after the two (2) year period.	translocation/ replanting	after the translocation or replanting.
Biology	Special Status Animals	B-2: Immediately prior to commencement of construction activities, retain a qualified biologist (USFWS-approved) to perform pre-construction surveys to monitor all potential Kit Fox dens located within a proposed development area. The pre-construction surveys shall cover all proposed new development areas containing oak woodland or grassland habitats. Because Kit Fox can often be highly transient, pre-construction surveys shall be conducted not more than 30 days in advance of surface disturbance in any particular area. Because the proposed project would likely be developed in phases, a new pre-construction survey shall be conducted in association with each major development phase.	Prior to issuance of any construction permits	Planning Division
Biology	Special Status Animals	B-3: During the pre-construction survey, all evidence of habitat utilization within proposed development areas shall be documented by the selected biologist. All dens encountered within the survey areas that meet size criteria for Kit Fox shall be identified with wire pin flags and clearly mapped.	Prior to issuance of any construction permits	Planning Division

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
Biology	Special Status Animals	B-4: All dens located within areas proposed for development shall be monitored by the biologist, as appropriate, to determine each den's current utilization status by Kit Fox.	Prior to issuance of any construction permits	Planning Division
Biology	Special Status Animals	B-5: All Kit Fox dens determined not to be actively utilized shall be hand excavated under the direct supervision of a qualified biologist and immediately filled to prevent re-entry.	Prior to issuance of any construction permits	Planning Division
Biology	Special Status Animals	B-6: Any dens determined to be occupied by adults or Kit Fox pups must be documented and immediately reported to the appropriate agencies. Dens occupied by adult fox will be hand excavated by the qualified biologist after the Kit Fox has left the den. The excavation will then immediately be filled. If during monitoring a den is found to be occupied by Kit Fox pups, thereby qualifying as a "natal den", the den must be left undisturbed until the young have naturally dispersed. If development proceeds in the immediate vicinity prior to dispersal of the young, an exclusion zone of 150 feet radius shall be established around the entrance to the den. No development and construction activities will be allowed within the exclusion zone established by the qualified biologist, until approval to proceed is provided by USFWS. Specific measures for avoiding impacts to Kit Fox shall be identified and implemented through consultation with USFWS and CDFG, and according to the current protocols for Kit Fox protection.	Prior to issuance of any construction permits	Planning Division
Biology	Special Status Animals	B-7: Upon completion of the pre-construction surveys, the qualified biologist shall provide a supplemental	Prior to issuance of any	Planning Division

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
		report to the appropriate representatives of the USFWS and CDFG.	construction permits	
Biology	Special Status Animals	B-8: A worker education briefing shall be conducted for all employees involved with construction of the proposed facilities. The educational briefing shall include identification of species of concern within the project vicinity, project mitigation requirements, reporting responsibilities, and penalties for failure of compliance.	Prior to construction	EM
Biology	Special Status Animals	B-9: The boundaries of all work areas shall be delineated by flagging or other clearly visible marking to minimize surface disturbance associated with possible vehicle straying.	During construction	EM
Biology	Special Status Animals	B-10: Project-related vehicles shall observe a 20-mile per hour speed limit throughout the property to reduce the potential for impacting Kit Fox.	During construction	EM
Biology	Special Status Animals	B-11: All construction shall be restricted to within daylight hours to avoid affecting Kit Fox nocturnal activities.	During construction	EM
Biology	Special Status Animals	B-12: All holes or trenches shall be thoroughly inspected for trapped animals prior to filling. In the event that a trapped or injured Kit Fox is discovered during construction, the USFWS field office in Ventura and local CDFG representative shall be immediately notified.	During construction	EM
		B-14: All food-related trash items shall be disposed of in closed containers and removed from associated		

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
		construction zones located at the property at least once per week.		
Biology	Special Status Animals	B-15: No firearms or pets shall be allowed on site during construction activities.	During construction	EM
Biology	Special Status Animals	B-16: Thirty eight (38) acres of permanent improvements shall be mitigated at a 3:1 ratio consistent with the Kit Fox Habitat Evaluation Form (attached). This would require that 114 acres be provided for habitat. This shall be mitigated on site through protection of 114 acres of open space and travel corridors on the Black Ranch property. The property owner shall improve, maintain, and protect the habitat through an easement or other agreement.	Prior to issuance of any construction permits	Planning Division in consultation w/CDFG & USFW
Biology	Nesting Raptors	B-17: To avoid take of active Raptor nests, necessary tree removals shall be conducted between September 15 and February 15, outside of the typical breeding season. If any tree removals are determined to be necessary between February 15 and September 15, a Raptor nest survey shall be conducted by a qualified biologist prior to project implementation and any planned tree removals. The results of the Raptor nest survey shall be submitted to CDFG, via a letter report. If the biologist determines that a tree slated for removal is being used by Raptors for nesting at that time, construction in the vicinity of the nest shall be avoided until after the young have fledged from the nest and achieved independence. If no nesting is found to occur in the vicinity of proposed development, construction activities could then proceed.		

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
Biology	Oak Trees	B-18: No more than 10% of the existing oak trees or canopy may be removed by development of the site.	Prior to any construction permits	Planning Division
Biology	Oak Trees	B-19: Prior to construction, identify oak saplings from the development area that are suitable for relocation. To the extent feasible, saplings should be relocated to adjacent appropriate areas located along the margins of existing oak woodland, and areas proposed for preservation.	Prior to any construction permits	Planning Division
Biology	Oak Trees	B-20: Replace all individual oak trees that cannot be transplanted and that are proposed for removal at a ratio of 4 to 1 replacement ratio, or as otherwise required by the City of Paso Robles Oak Tree Ordinance. Potential oak woodland mitigation sites should closely reflect the characteristics of areas located on site that have naturally occurring woodland expansion.	Prior to any construction permits	Planning Division
Biology	Oak Trees	B-21: Prior to construction, retain a qualified biologist or landscape specialist to clearly mark the drip line area of each tree located outside of, but adjacent to, proposed development areas. The drip line of each tree shall be marked with highly visible flagging or construction fencing.	Prior to construction	Planning Division
Biology	Oak Trees	B-22: During construction, avoid all soil disturbance, compaction, and grading activities within, and adjacent to, the associated drip line of each tree.	During construction	EM
Biology	Oak Trees	B-23: Artificial irrigation shall not be located adjacent to or within the drip line of existing oaks trees. Revegetate and/or mulch disturbed areas located near remaining oaks with appropriate native vegetation or mulch.	Prior to construction and at final inspection	Planning Division

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
		B-25: During construction, avoid all cleaning and refueling of equipment and vehicles within the vicinities of existing drainages and associated wetland habitat, as well as in the vicinities of the ponds.	During construction	EM
		B-26: Following completion of construction-related activities, immediately revegetate all disturbed and barren areas with appropriate native vegetation to reduce the risk of erosion and sedimentation in adjacent drainages.	Prior to final approval after construction	Planning Division
		B-27: In development areas, a qualified biologist shall conduct a wetland delineation to determine precise boundaries and total area of affected wetland. Development shall be limited to areas located a minimum of 50 to 10 feet from the upland extent of the wetland boundary. The distance of the wetland setback shall take in to account the existing functions and values associated with the identified wetland, and the level of intensity of the proposed adjacent development.	Prior to construction	EM
Biology	Vernal Pools	B-28: Prior to construction, the Applicant shall map, via topographic survey at one foot contours, the entirety of the watershed of Pool #1 and Pool #2. The noted watershed boundary shall be clearly flagged in the field so that the watershed margin is plainly visible.	Prior to construction permits	Planning Division
Biology	Vernal Pools	B-29: The Applicant shall reconfigure the proposed golf course to avoid the mapped VPFS watershed required to be delineated. If complete avoidance is not possible or is infeasible, development within the mapped watershed area shall be minimized to the extent practicable. Residual impacts to the mapped watershed	Prior to construction permits	Planning Division

MITIGATION MONITORING PROGRAM AND SUMMARY OF POTENTIALLY SIGNIFICANT IMPACTS WHICH WITH MITIGATION MEASURES, REDUCE TO LESS THAN SIGNIFICANT LEVELS				
RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURES PROJECT CONDITIONS	Time Frame	Monitoring Agency
		(those remaining after minimization) shall be mitigated in coordination with the USFWS.		
Biology	Vernal Pools	B-30: During site development, heavy equipment shall not be allowed to operate within the noted and flagged watershed. Equipment refueling and/or washing shall not be allowed within 50 feet of the flagged boundary.	During construction	EM
Biology	Vernal Pools	B-31: Herbicide and/or pesticide use shall not be allowed within the delineated watershed boundary.	Submit monitoring report one (1) year and two (2) years after construction	EM
Biology	Vernal Pools	B-32: Prior to final project design, and over the next two years after construction, the Applicant shall retain a qualified, permitted VPFS biologist to conduct surveys for this species and other sensitive crustaceans within vernal pool habitats of the Black Ranch property. The final project design shall be modified accordingly following the noted surveys and dependent upon their results.	Prior to construction permits and submit a monitoring report one (1) year and two (2) years after construction	Planning Division prior to construction and EM for subsequent monitoring
Aesthetics	Affect a scenic vista or scenic highway.	AE-1: Grading shall be designed to balance on-site. All slopes visible from the highway shall be contoured and graded to appear natural. All slope and graded areas shall be re-planted with native species, grasses, or other landscaping, as indicated on the proposed landscape plan.	Prior to construction	Planning Division

Entrada de Paso Robles MND Addendum

Special Studies are in a binder under a separate cover.

RESOLUTION NO.

**A RESOLUTION OF
THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES
APPROVING PLANNED DEVELOPMENT AMENDMENT 01-025
4380 STATE ROUTE 46 EAST, APNs 025-431-044, -045, -049
APPLICANT – KEN HUNTER
ENTRADA DE PASO ROBLES**

WHEREAS, an amendment to Planned Development Amendment 01-025 has been filed by Ken Hunter; and

WHEREAS, this application includes a proposal to modify the previously approved Master Site Plan and certain land uses. The proposal includes maintaining the entitlement of a 200-room hotel, 80 casitas guest units, conference center, hotel restaurant, and wine center. Specific modifications include eliminating the 27-hole golf course and replacing it with a destination garden-themed attraction “Discovery Gardens”, café at the gardens, ornamental landscaping production area, 18-acre vineyard, and a 3-hole golf academy; and

WHEREAS, the project is consistent with the General Plan land use designation and Zoning of Parks and Open Space (POS) and Agriculture (AG), the Paso Robles Airport Land Use Plan, Economic Strategy, and the Gateway Design Standards; and

WHEREAS, an amendment to Conditional Use Permit 01-017 has been filed in conjunction with this Planned Development Amendment to allow establishment of the Discovery Gardens and golf academy, hotel, conference center and ancillary uses; and

WHEREAS, applications for a Lot Line Adjustment (PR 13-0102) and an Oak Tree Removal Permit (OTR 14-003) have been submitted concurrently with amendments to the Planned Development (PD 01-0125 and Conditional Use Permit (CUP 01-017); and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 13, 2014 on this project to accept public testimony on the proposed amendments to PD 01-025 and CUP 01-017, and LLA PR 13-0102, and OTR 14-003; and

WHEREAS, any oak tree removals requested to accommodate the proposed development site plan shall be approved by the City Council, and oak tree replacements shall be established in compliance with the City’s Oak Tree Preservation Ordinance; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City’s Procedures for Implementing CEQA, an Addendum to the adopted Mitigated Negative Declaration was prepared and has been added to the Mitigated Negative Declaration, which is considered under a separate resolution; 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. As conditioned, the design and intensity/density of the proposed Planned Development as amended is consistent with the adopted codes, policies, standards and plans of the City, specifically the Zoning Ordinance, General Plan, Airport Land Use Plan, and Gateway Design Standards; and

2. As conditioned, the proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and or businesses in the surrounding area, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City, including traffic safety, noise and light; and
3. The proposed development plan accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the Highway 46 East “gateway” to the City, scenic corridors, and the public right-of-way through sensitive site design, landscaping, and quality architecture; and
4. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements of other winery, agricultural or airport land uses, provides an appropriate visual appearance since it complements existing development in the nearby area and on the site, and reduces environmental impacts to biological resources, traffic, air quality, and water quality to a less than significant level; and
5. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc.; and
6. The proposed development plan contributes to the orderly development of the City as a whole; and
7. The proposed development project is consistent with and supports implementation of the Economic Strategy by providing local and regional tourism, and employment opportunities within the City of Paso Robles.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development Amendment 01-0125, subject to the following conditions:

STANDARD CONDITIONS:

1. This project shall comply with the checked Standard Conditions of Approval, attached hereto as Exhibit “A” and incorporated herein by reference.
2. The Planned Development for Entrada de Paso Robles project shall not be operative or vested until the following applications have also been approved and put into effect:
 - A. Mitigated Negative Declaration and Addendum and Mitigation Monitoring and Reporting Program
 - B. Conditional Use Permit 01-017
 - C. Lot Line Adjustment PR 13-0102
 - D. Oak Tree Removal Permit OTR 14-003

SITE SPECIFIC CONDITIONS:

NOTE: In the event of conflict or duplication between standard and site-specific conditions, the site-specific condition shall supersede standard conditions.

Planning Division Conditions:

- 3. 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	Standard Conditions of Approval
B	Master Site Plan, Landscape Plan and Elevations
C	Preliminary Grading, Drainage and Utility Plans

- 4. This is an application for a 200-room hotel, 80 casitas lodging units, 14,500 s.f. conference center, 2 restaurants, wine center, Discovery Gardens, a 3-hole golf academy (including clubhouse, cart storage, driving range and maintenance yard), ornamental landscaping production areas, 18-acre vineyard, open space area, and ancillary support buildings and improvements such as a maintenance building, restrooms, parking lots, project entrances, access roads, and outdoor use areas for the resort. The development may be constructed in phases, with Phase 1 and 1-A including the Discovery Gardens, café, maintenance building, crop areas, parking lot, and vineyard, and Phase 2 including the hotel, casitas, conference center, restaurant, parking lots, and golf academy.
- 5. A. Approval of Phase I of this project is valid for a period of two (2) years from date of approval. Unless permits have been issued and site work has begun, the approval of PD Amendment 01-0125 shall expire on May 13, 2016. The Planning Commission may extend this expiration date if a Time Extension application has been filed with the City along with the applicable fees before the expiration date.

B. Approval of Phase 1-A of this project is valid for a period of four (4) years from date of approval. Unless permits have been issued and site work has begun, the approval of PD Amendment 01-0125 for Phase 1-A shall expire on May 13, 2018. The Planning Commission may extend this expiration date if a Time Extension application has been filed with the City along with the applicable fees before the expiration date.

C. Approval of Phase 2 of this project is valid for a period of six (6) years from date of approval. Unless permits have been issued and site work has begun, the approval of PD Amendment 01-0125 for Phase 2 shall expire on May 13, 2020. The Planning Commission may extend this expiration date if a Time Extension application has been filed with the City along with the applicable fees before the expiration date.
- 6. Prior to issuance of certificates of use and occupancy, the property-owner or authorized agent is required to pay the City's Development Impact Fees.
- 7. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
- 8. Use and operation of the project and its appurtenances shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance).
- 9. Prior to issuance of a grading permit, the applicant shall submit Final Storm Water Control Plan including Low-Impact Development (LID) plans for the treatment of storm water on the site subject to approval by the City Engineer.

10. Prior to issuance of any grading permits for each phase of development (Phases I, IA and 2), final development plans for site development, buildings, landscaping, irrigation, parking lot, site and building lighting, and an oak tree protection plan shall be submitted for review and approval by the Development Review Committee (DRC).
11. A comprehensive, unified sign program that is compatible with project architecture and site design shall be prepared and reviewed and approved by the DRC for each phase of the project, including entrance signs, site signs, and building signs.
12. Night lighting shall be designed to be directed downward and shielded, and avoid visibility from SR 46E, and it shall be consistent with the Airport Land Use Plan.
13. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - a. Construction activities shall cease, and the Community Development Director shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Community Development Director so that proper disposition may be accomplished.

Air Quality Conditions:

14. Prior to demolition, the Applicant shall notify the San Luis Obispo APCD of all facility demolitions at least ten working days before asbestos stripping or removal work begins. The information required for the notification must be reported a "Notification of Demolition and Renovation" form that can be obtained at the APCD. This form includes demolition of facilities that may contain no asbestos.
15. Prior to demolition, the Applicant shall implement the following steps:
 - The facility shall be inspected and building materials sampled and tested to determine the presence or absence of asbestos.
 - Samples must be tested by an EPA accredited analytical laboratory, and with an approved EPA asbestos method to determine the percent of asbestos present.
 - Inspections and testing shall be completed and results obtained by the owner, operator or contractor prior to the start of the renovation or demolition.
 - Test results shall be kept on site and made available to the APCD upon request.
16. Prior to and during demolition, the Applicant shall assure the following steps are completed:
 - Demolition may begin when it is determined that asbestos containing materials are not present, and all notification of the National Emission Standard for Hazardous Air Pollutants (NESHAP) are met.
 - If asbestos containing materials are present, demolition activity must be done in compliance with the NESHAP.
 - If proof of inspection and building material testing cannot be provided to the APCD, demolition activity will be required to stop.
 - Activity may resume only with APCD approval.
 - Upon receipt of an adequate "Notification of Demolition and Renovation", the APCD will issue a written Authorization Letter and fee invoice to the owner/operator of the facility.

- The primary purposes of the Authorization Letter are to verify project start and end dates, to assure that all parties are aware of APCD and EPA requirements, and that those requirements will be adhered to during the abatement.
17. Prior to and during demolition, the Applicant shall assure the following steps are completed:
 - Demolition may begin when it is determined that asbestos containing materials are not present, and all notification of the National Emission Standard for Hazardous Air Pollutants (NESHAP) are met.
 - If asbestos containing materials are present, demolition activity must be done in compliance with the NESHAP.
 - If proof of inspection and building material testing cannot be provided to the APCD, demolition activity will be required to stop.
 - Activity may resume only with APCD approval.
 - Upon receipt of an adequate “Notification of Demolition and Renovation”, the APCD will issue a written Authorization Letter and fee invoice to the owner/operator of the facility.
 - The primary purposes of the Authorization Letter are to verify project start and end dates, to assure that all parties are aware of APCD and EPA requirements, and that those requirements will be adhered to during the abatement.
 18. If it is determined that portable engines and portable engines will be utilized, the contractor shall contact the County of San Luis Obispo APCD and obtain a permit to operate portable engines prior to commencement of construction. Portable equipment shall be registered in the statewide portable equipment registration program.
 19. Oxidizing soot filters shall be installed on 5 pieces of equipment expected to see the heaviest use or which have the highest emissions during construction. Where catalytic soot filters are determined to be unsuitable, the owner shall install and use an oxidation catalyst.
 - Suitability is to be determined by an authorized representative of the filter manufacturer, or an independent California Licensed Mechanical Engineer who will submit, for APCD approval, a Suitability Report identifying and explaining the particular constraints to using the preferred catalytic soot filter.
 - Installations must be conducted according to manufacturer’s specifications.
 - Proof that the catalytic soot filters have been installed must be provided to the APCD.
 - The APCD shall be notified prior to operation of the equipment with the filters installed.
 - Acceptable proof may be in the form of visual inspection by APCD staff or submittal of filter serial numbers and photos of the equipment with the installed filters.
 20. Use of reformulated diesel fuel. All off-road and portable diesel powered equipment shall be fueled exclusively with CARB certified diesel.
 21. Use 1996 or newer heavy duty off road vehicles to the extent feasible.
 22. Use of Caterpillar pre-chamber diesel engines (or equivalent) together with proper maintenance and operation to reduce emissions of oxides of nitrogen (NOX).
 23. Electrify equipment where possible.
 24. Maintain equipment in tune per manufacturer’s specifications, except as otherwise required above.
 25. Install catalytic converters on gasoline-powered equipment.

26. Use Compressed Natural Gas (CNG) or propane on-site mobile equipment instead of diesel-powered equipment.
27. A Dust Control Plan shall be prepared and approved by the APCD prior to commencement of construction activities. The Dust Control Plan shall include the following:
- Important elements of this plan would be detailed dust mitigation measures and provisions for monitoring for dust during construction.
 - The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering or other measures as necessary to prevent transport of dust off-site. Their duties shall include holiday 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 construction commencement.
 - Compliant handling procedures shall be identified.
 - A daily dust observation log shall be filled out as necessary.
 - Reduce the amount of the disturbed area where possible.
 - 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 shall be used whenever possible.
 - All dirt stock-pile areas shall be sprayed daily as needed.
 - Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities.
 - Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established.
 - All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
 - All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - All trucks hauling dirt, sand, or other loose materials are to be covered or shall maintain at least two feet of free board (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114. This measure has the potential to reduce PM₁₀ emissions by 7-14%.
 - Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site. This measure has the potential to reduce PM₁₀ emissions by 40-70%.
 - 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 when feasible. This measure has the potential to reduce PM₁₀ emissions by 25-60%.
 - All PM10 mitigation measures required shall be shown on grading and building plans.
28. A Construction Activity Management Plan shall be prepared and submitted to the APCD for approval prior to implementation.
29. A Construction Activity Management Plan shall be prepared and submitted to the APCD for approval prior to implementation.
30. The proposed project exceeds the APCD threshold of 25 lbs/day for ROG and NO_x long-term emissions; therefore, the Applicant is required to include all of the APCD Standard Mitigation Measures, all feasible Discretionary Mitigation Measures, and maybe Off-Site Mitigation Measures. The mitigation measures included in this section shall be enforced in order to mitigate the project to the extent feasible.

31. Standard Site Design Measures

- Orient buildings toward streets with convenient pedestrian and transit access; parking in rear.
- Provide preferential carpool parking.
- 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

32. Discretionary Transportation Demand Management Measures

- Establish an Employee Trip Reduction Program (ETRP) to reduce employee commute trips (i.e. carpooling incentives, vanpools, and transit subsidies).
- Employ a transportation/rideshare coordinator.
- Implement a rideshare coordinator.
- Provide for shuttle/mini bus service for employees, special events, airport/Amtrak services, and services to downtown Paso Robles and Atascadero.
- Provide on-site banking (ATM) and postal services, if applicable.
- Provide guests with electric carts
- Provide pedestrian pathways throughout the facility.
- Cater to group activities using buses and vanpools.
- Provide on-site eating, refrigeration, vending for employees.

33. Standard Energy Efficiency Measures

- Increase walls and attic insulation beyond Title 24 requirements.
- Orient buildings to maximize natural heating and cooling.

34. Discretionary Energy Efficient Measures

- Shade tree planting along southern exposures of buildings to reduce summer cooling needs.
- Shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
- Use built-in energy efficient appliances, where applicable.
- Use double-paned windows.
- Use sodium parking lot and streetlights.
- Use energy efficient interior lighting.
- Electrify golf carts.

35. Off-site Mitigation Measures

- Operational emissions in excess of 25 lbs/day after implementation of long-term mitigation measures shall be offset at a rate of \$8,500/ton.
- Incorporation of an ETRP and electric golf carts may be used to reduce the total emissions.

36. To fully mitigate the impacts from this project, off-site mitigation is required. The District determined that \$15,000 of off-site mitigation is required to be incorporated into the project. Placement of the required \$15,000 off-site mitigation fee into a specified program or in-lieu fee agreement shall be in place prior to commencement of construction activities. The following is a list of potential options that could be funded:

- Clean transit bus replacement/repower
- Public transit service
- Vanpool programs/subsidies
- Rideshare assistance programs
- Clean school bus replacement/repower/filters

37. The applicant shall submit a completed “Consistency Checklist” from the City’s adopted Climate Action Plan, Appendix C, demonstrating how the project will comply with mandatory GHG reductions. All measures requiring energy efficient and water conservation measures, etc. shall be complied with upon submittal of building permits for plancheck verification. Verification of compliance with the checklist measures shall be completed prior to issuance of building permits.
38. Record an avigation easement prior to recordation of any final maps or issuance of any building permits.

Biological Resource Conditions

39. A qualified botanist shall be retained by the Applicant to conduct pre construction surveys for rare plants in those areas proposed for development on site. These surveys shall be conducted within the appropriate flowering periods for the various species reported from the area and identified previously within this report. If rare plant populations are identified within areas likely disturbed by development, the Applicant shall redesign the project to avoid the rare plant populations. Should avoidance not be feasible, the Applicant shall translocate the species to other suitable habitat within the project vicinity in accordance with the recommendations of the qualified botanist. Should translocation not be possible, new species shall be planted at a ratio of 2:1. The translocated or replanted species shall be monitored for a period of two (2) years. Replanting shall be performed so that there is no net loss of species after the two (2) year period.
40. Immediately prior to commencement of construction activities, retain a qualified biologist (USFWS-approved) to perform pre-construction surveys to monitor all potential Kit Fox dens located within a proposed development area. The pre-construction surveys shall cover all proposed new development areas containing oak woodland or grassland habitats. Because Kit Fox can often be highly transient, pre-construction surveys shall be conducted not more than 30 days in advance of surface disturbance in any particular area. Because the proposed project would likely be developed in phases, a new pre-construction survey shall be conducted in association with each major development phase.
41. During the pre-construction survey, all evidence of habitat utilization within proposed development areas shall be documented by the selected biologist. All dens encountered within the survey areas that meet size criteria for Kit Fox shall be identified with wire pin flags and clearly mapped.
42. All dens located within areas proposed for development shall be monitored by the biologist, as appropriate, to determine each den’s current utilization status by Kit Fox.
43. All Kit Fox dens determined not to be actively utilized shall be hand excavated under the direct supervision of a qualified biologist and immediately filled to prevent re-entry.
44. Any dens determined to be occupied by adults or Kit Fox pups must be documented and immediately reported to the appropriate agencies. Dens occupied by adult fox will be hand excavated by the qualified biologist after the Kit Fox has left the den. The excavation will then immediately be filled. If during monitoring a den is found to occupied by Kit Fox pups, thereby qualifying as a “natal den”, the den must be left undisturbed until the young have naturally dispersed. If development proceeds in the immediate vicinity prior to dispersal of the young, an exclusion zone of 150 feet radius shall be established around the entrance to the den. No development and construction activities will be allowed within the exclusion zone established by the qualified biologist, until approval to proceed is provided by USFWS. Specific measures for avoiding impacts to Kit Fox shall be identified and implemented through consultation with USFWS and CDFG, and according to the current protocols for Kit Fox protection
45. Upon completion of the pre-construction surveys, the qualified biologist shall provide a supplemental report to the appropriate representatives of the USFWS and CDFG.

46. A worker education briefing shall be conducted for all employees involved with construction of the proposed facilities. The educational briefing shall include identification of species of concern within the project vicinity, project mitigation requirements, reporting responsibilities, and penalties for failure of compliance.
47. The boundaries of all work areas shall be delineated by flagging or other clearly visible marking to minimize surface disturbance associated with possible vehicle straying.
48. Project-related vehicles shall observe a 20-mile per hour speed limit throughout the property to reduce the potential for impacting Kit Fox.
49. All construction shall be restricted to within daylight hours to avoid affecting Kit Fox nocturnal activities.
50. All holes or trenches shall be thoroughly inspected for trapped animals prior to filling. In the event that a trapped or injured Kit Fox is discovered during construction, the USFWS field office in Ventura and local CDFG representative shall be immediately notified.
51. All food-related trash items shall be disposed of in closed containers and removed from associated construction zones located at the property at least once per week.
52. No firearms or pets shall be allowed on site during construction activities.
53. Thirty eight (38) acres of permanent improvements shall be mitigated at a 3:1 ratio consistent with the Kit Fox Habitat Evaluation Form (attached). This would require that 114 acres be provided for habitat. This shall be mitigated on site through protection of 114 acres of open space and travel corridors on the Black Ranch property. The property owner shall improve, maintain, and protect the habitat through an easement or other agreement.
54. To avoid take of active Raptor nests, necessary tree removals shall be conducted between September 15 and February 15, outside of the typical breeding season. If any tree removals are determined to be necessary between February 15 and September 15, a Raptor nest survey shall be conducted by a qualified biologist prior to project implementation and any planned tree removals. The results of the Raptor nest survey shall be submitted to CDFG, via a letter report. If the biologist determines that a tree slated for removal is being used by Raptors for nesting at that time, construction in the vicinity of the nest shall be avoided until after the young have fledged from the nest and achieved independence. If no nesting is found to occur in the vicinity of proposed development, construction activities could then proceed.
55. No more than 10% of the existing oak trees or canopy may be removed by development of the site.
56. Prior to construction, identify oak saplings from the development area that are suitable for relocation. To the extent feasible, saplings should be relocated to adjacent appropriate areas located along the margins of existing oak woodland, and areas proposed for preservation.
57. Replace all individual oak trees that cannot be transplanted and that are proposed for removal at a ratio of 4 to 1 replacement ratio, or as otherwise required by the City of Paso Robles Oak Tree Ordinance. Potential oak woodland mitigation sites should closely reflect the characteristics of areas located on site that have naturally occurring woodland expansion.
58. Prior to construction, retain a qualified biologist or landscape specialist to clearly mark the drip line area of each tree located outside of, but adjacent to, proposed development areas. The drip line of each tree shall be marked with highly visible flagging or construction fencing. During construction, avoid all soil

disturbance, compaction, and grading activities within, and adjacent to, the associated drip line of each tree.

59. Artificial irrigation shall not be located adjacent to or within the drip line of existing oak trees. Revegetate and/or mulch disturbed areas located near remaining oaks with appropriate native vegetation or mulch.
60. During construction, avoid all cleaning and refueling of equipment and vehicles within the vicinities of existing drainages and associated wetland habitat, as well as in the vicinities of the ponds.
61. Following completion of construction-related activities, immediately revegetate all disturbed and barren areas with appropriate native vegetation to reduce the risk of erosion and sedimentation in adjacent drainages.
62. In development areas, a qualified biologist shall conduct a wetland delineation to determine precise boundaries and total area of affected wetland. Development shall be limited to areas located a minimum of 50 to 10 feet from the upland extent of the wetland boundary. The distance of the wetland setback shall take in to account the existing functions and values associated with the identified wetland, and the level of intensity of the proposed adjacent development.
63. Prior to construction, the Applicant shall map, via topographic survey at one foot contours, the entirety of the watershed of Pool #1 and Pool #2. The noted watershed boundary shall be clearly flagged in the field so that the watershed margin is plainly visible.
64. The Applicant shall reconfigure the proposed golf course to avoid the mapped VPFS watershed required to be delineated. If complete avoidance is not possible or is infeasible, development within the mapped watershed area shall be minimized to the extent practicable. Residual impacts to the mapped watershed (those remaining after minimization) shall be mitigated in coordination with the USFWS.
65. During site development, heavy equipment shall not be allowed to operate within the noted and flagged watershed. Equipment refueling and/or washing shall not be allowed within 50 feet of the flagged boundary.
66. Herbicide and/or pesticide use shall not be allowed within the delineated watershed boundary.
67. Prior to final project design, and over the next two years after construction, the Applicant shall retain a qualified, permitted VPFS biologist to conduct surveys for this species and other sensitive crustaceans within vernal pool habitats of the Black Ranch property. The final project design shall be modified accordingly following the noted surveys and dependent upon their results.

Water Resource Conditions

68. Detention and storm drain systems will be channeled to storm drainage facilities to be reviewed and approved by the City Engineer. Storm water discharge from the proposed development will be designed to maintain historic flows to offsite channels.
69. Drainage patterns will not be altered to allow new runoff to drain into the drip line of existing oak trees.
70. Submit final grading and drainage plans for review and approval by the City Engineer.
71. Applied Irrigation rates will utilize local evapotranspiration information to reduce the amount of groundwater infiltration by irrigation water.

72. Fertilizer will not be applied within 24 hours before a predicted rainfall to minimize leaching by rainwater, and soils will be tested and monitored for nutrient levels to ensure fertilizer application rates match uptake rates by turf grasses. Such monitoring shall be conducted annually by the course management and the results made available to the Agricultural Commissioner.
73. The Applicant will develop an plan with specific guidelines on the use of pesticides and fertilizers to reduce the use of chemical applications that could contaminate the ground water. Pest Management practices to be addressed in the Plan are:
- Anti-back siphoning devices shall be used in application equipment to reduce the potential for pesticide contamination of groundwater of other water supplies during irrigation.
 - Slow release organic fertilizers will used wherever possible as an effective biological method to help suppress many turf pathogens.
 - The use of bacterial additives to enhance nitrogen uptake and improve turf disease resistance shall be considered when these become commercially available.
 - All chemicals shall be applied by or under the supervision of a trained, licensed operator following all manufacturer's directions for proper chemical/ fertilization application and container disposal procedures.

Aesthetics Condition

74. Grading shall be designed to balance on-site. All slopes visible from the highway shall be contoured and graded to appear natural. All slope and graded areas shall be re-planted with native species, grasses, or other landscaping, as indicated on the proposed landscape plan.

Engineering Division Conditions:

75. Prior to occupancy of Phase I, Discovery Gardens, Highway 46E shall be improved with right turn channelization for in-coming and exiting traffic consistent with the original traffic study and in accordance with plans approved by Caltrans.
76. Prior to any permits for site development, the property owner shall provide an irrevocable offer of dedication of public right-of-way to the City, 50 feet wide from the center line of Dry Creek Road along the frontage of the subject property.
77. Prior to occupancy of Phase 2, the applicant shall provide two sources of water to the project with tie-ins at Airport Road and Dry Creek Road. Easements for maintenance of a connecting water main between the points will be provided to the City if requested.
78. The domestic portions of the project shall be served by City water. The gardens, crop production, golf and landscape areas shall be irrigated with recycled water provided by the City when available, and is offered to the applicant.
79. The applicant will participate in the cost of construction of sewer extensions to the property and will connect to sanitary sewer when available. The Discovery Gardens phase may operate on a septic system, with limited concessions, with the approval of the City Council. No hotel or related uses can be occupied without connection to sanitary sewer.
80. Low impact development best management practices as outlined in the project submittals shall be incorporated into the project grading plans and shall meet design criteria adopted by the Water Board on July 12, 2013.

81. The project will be subject to traffic impact and other development impact fees in effect at the time of occupancy of the project.

82. All double check valves and backflow prevention fixtures shall be installed underground or screened as approved by the Community Development Director.

PASSED AND ADOPTED THIS 13 day of May, 2014 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN DOUG BARTH

ATTEST:

ED GALLAGHER, PLANNING COMMISSION SECRETARY

EXHIBIT A OF RESOLUTION
CITY OF EL PASO DE ROBLES
STANDARD DEVELOPMENT CONDITIONS

Planned Development Amendment Conditional Use Permit
PD 01-0125

Tentative Parcel Map Tentative Tract Map

Approval Body: Planning Commission Date of Approval: May 13, 2014

Applicant: Ken Hunter Location: 4380 State Route 46 East

APN:025-431-044, -044, -045, -049

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 Community Development Department, (805) 237-3970, for compliance with the following conditions:

A. GENERAL CONDITIONS – PD/CUP:

- 1. This project approval shall expire on May 13, 2016 (Phase I), May 13, 2018 (Phase 1-A), May 13, 2020 (Phase 2), unless a time extension request is filed with the Community Development Department, or a State mandated automatic time extension is applied 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 shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- 3. To the extent allowable by law, Owner agrees to hold City harmless from costs and expenses, including attorney’s fees, incurred by City or held to be the liability of City in connection with City’s defense of its actions in any proceeding brought in any State or Federal court challenging the City’s actions with respect to the project. Owner understands and acknowledges that City is under no obligation to defend any legal actions challenging the City’s actions with respect to the project.

- 4. Any site specific condition imposed by the Planning Commission in approving this project (**Planned Development**) 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 approval of this project. 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 for this approval.
- 5. The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition.
- 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 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.
- 8. Prior to the issuance of a Building Permit a landscape and irrigation plan consistent with the Landscape and Irrigation Ordinance, shall be submitted for City review and approval. The plan needs to be designed in a manner that utilizes drought tolerant plants, trees and ground covers and minimizes, if not eliminates the use of turf. The irrigation plan shall utilize drip irrigation and limit the use of spray irrigation. All existing and/or new landscaping shall be installed with automatic irrigation systems.
- 9. A reciprocal parking and access easement and agreement for site access, parking, and maintenance of all project entrances, parking areas, landscaping, hardscape, common open space, areas and site lighting standards and fixtures, shall be recorded prior to or in conjunction with the Final Map. Said easement and agreement shall apply to all properties, and be referenced in the site Covenants, Conditions and Restrictions (CC&Rs).
- 10. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.
- 11. For commercial, industrial, office or multi-family projects, all refuse enclosures are required to provide adequate space for recycling bins. The enclosure shall be architecturally compatible with the primary building. Gates shall be view obscuring and constructed of durable materials. Check with Paso Robles Waste Disposal to determine the adequate size of enclosure based on the number and size of containers to be stored in the enclosure.

- 12. For commercial, industrial, office or multi-family projects, 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.
- 13. 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 Community Development Director or his designee. Details shall be included in the building plans.
- 14. 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.
- 15. 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.
- 16. It is the property owner's responsibility to insure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents.
- 17. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No.835 N.S., 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 removal.
- 18. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
- 19. Prior to recordation of the map or prior to occupancy of a project, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
- 20. 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 prior to the issuance of building permits.

- 21. 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 site plan indicating the location of all structures, parking layout, outdoor storage areas, walls, fences and trash enclosures;
 - b. A detailed landscape plan;
 - c. Detailed building elevations of all structures indicating materials, colors, and architectural treatments;
 - d. Other: Landscape plans

B. GENERAL CONDITIONS – TRACT/PARCEL MAP:

- 1. 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.
- 2. 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 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.
- 3. The owner shall petition to annex residential Tract (or Parcel Map)_____ into the City of Paso Robles Community Facilities District No. 2005-1 for the purposes of mitigation of impacts on the City's Police and Emergency Services Departments.
- 4. Street names shall be submitted for review and approval by the Planning Commission, prior to approval of the final map.
- 5. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:

_____.

ENGINEERING DIVISION- The applicant shall contact the Engineering Division, (805) 237-3860, for compliance with the following conditions:

All conditions marked are applicable to the above referenced project for the phase indicated.

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 ISSUANCE OF A GRADING PERMIT:

- 1. Prior to approval of a grading plan, 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.
- 2. 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.
- 3. A complete grading and drainage plan shall be prepared for the project by a registered civil engineer and subject to approval by the City Engineer. The project shall conform to the City's Storm Water Discharge Ordinance.
- 4. A Preliminary Soils and/or Geology Report providing technical specifications for grading of the site shall be prepared by a Geotechnical Engineer.
- 5. A Storm Water Pollution Prevention Plan per the State General Permit for Storm Water Discharges Associated with Construction Activity shall be provided for any site that disturbs greater than or equal to one acre, including projects that are less than one acre that are part of a larger plan of development or sale that would disturb more than one acre.

E. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

- 1. All off-site public 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 the Public Works Department Standards and Specifications.
- 2. The applicant shall submit a composite utility plan signed as approved by a

representative of each public utility.

- 3. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require approval by the Streets Division Supervisor and the Community Development Department.
- 4. In a special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM) the owner shall provide an Elevation Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor or civil engineer licensed in the State of California.

F. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR RECORDATION OF THE FINAL MAP:

The Planning Commission has made a finding that the fulfillment of the construction requirements listed below are a necessary prerequisite to the orderly development of the surrounding area.

- 1. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services.
- 2. All public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance.
- 3. The owner shall offer to dedicate and improve the following street(s) to the standard indicated:
See Site Specific Conditions

Street Name	City Standard	Standard Drawing No.
-------------	---------------	----------------------
- 4. If, at the time of approval of the final 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.

Bonds required and the amount shall be as follows:
Performance Bond.....100% of improvement costs.
Labor and Materials Bond.....50% of performance bond.

- 5. If the existing City street adjacent to the frontage of the project is inadequate for the traffic generated by the project, or will be severely damaged by the construction, the applicant shall excavate the entire structural section and replace it with a standard half-width street plus a 12' wide travel lane and 8' wide graded shoulder adequate to provide for two-way traffic.
- 6. If the existing pavement and structural section of the City street adjacent to the frontage of the project is adequate, the applicant shall provide a new structural

section from the proposed curb to the edge of pavement and shall overlay the existing paving to centerline for a smooth transition.

- 7. Due to the number of utility trenches required for this project, the City Council adopted Pavement Management Program requires a pavement overlay on _____ along the frontage of the project.
- 8. The applicant shall install all utilities. 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.
- 9. 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.
- 10. 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/open space landscaping;
 - c. Wall maintenance in conjunction with landscaping;
 - d. Graffiti abatement;
 - e. Maintenance of open space areas.
- 11. For a building with a Special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM), the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance Program. This form must be completed by a lands surveyor or civil engineer licensed in the State of California.
- 12. All final property corners shall be installed.
- 13. All areas of the project shall be protected against erosion by hydro seeding or landscaping.
- 14. All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood gypsum board, etc.) and removed from the project in accordance with the City's Source Reduction and Recycling Element.
- 15. Clear blackline mylars and paper prints of record drawings, signed by the engineer

of record, shall be provided to the City Engineer prior to the final inspection. An electronic autocad drawing file registered to the California State Plane – Zone 5 / NAD83 projected coordinate system, units in survey feet, shall be provided.

PASO ROBLES DEPARTMENT OF EMERGENCY SERVICES- The applicant shall contact the Department of Emergency Services, (805) 227-7560, for compliance with the following conditions:

G. GENERAL CONDITIONS

1. Prior to the start of construction:
 - Plans shall be reviewed, approved and permits issued by Emergency Services for underground fire lines.
 - Applicant shall provide documentation to Emergency Services that required fire flows can be provided to meet project demands.
 - Fire hydrants shall be installed and operative to current, adopted edition of the California Fire Code.
 - A based access road sufficient to support the department's fire apparatus (HS-20 truck loading) shall be constructed and maintained for the duration of the construction phase of the project.
 - Access road shall be at least twenty (20) feet in width with at least thirteen (13) feet, six (6) inches of vertical clearance.

2. Provide central station monitored fire sprinkler system for all residential, commercial and industrial buildings that require fire sprinklers in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code.
 - Plans shall be reviewed, approved and permits issued by Emergency Services for the installation of fire sprinkler systems.

3. Provide central station monitored fire alarm system for all residential, commercial and industrial buildings that require fire alarm system in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code.

4. If required by the Fire Chief, provide on the address side of the building if applicable:
 - Fire alarm annunciator panel in weatherproof case.
 - Knox box key entry box or system.
 - Fire department connection to fire sprinkler system.

5. Provide temporary turn-around to current City Engineering Standard for phased

construction streets that exceed 150 feet in length.

6. Project shall comply with all requirements in current, adopted edition of California Fire Code and Paso Robles Municipal Code.
7. Prior to the issuance of Certificate of Occupancy:
 - Final inspections shall be completed on all underground fire lines, fire sprinkler systems, fire alarm systems and chemical hood fire suppression systems.
 - Final inspections shall be completed on all buildings.





CALL-OUT NOTES

- 1 MAIN ROADWAY
- 2 PROPOSED LOT LINE ADJUSTMENT
- 3 VERNAL POOL LOCATION
- 4 VERNAL POOL WATERSHED AREA
- 5 MAIN PROJECT ENTRY
- 6 EMERGENCY VEHICLE ENTRANCE
- 7 ROADWAY
- 8 CALTRANS RIGHT-OF-WAY
- 9 PERIMETER PROPERTY LINE
- 10 EXISTING UNPAVED RANCH ROAD
- 11 EXISTING PONDS
- 12 PROPERTY WELLS
- 13 MAINTENANCE YARD
- 14 DRIVING RANGE
- 15 3 HOLE GOLF COURSE
- 16 PRACTICE TEE
- 17 TEACHING CENTER
- 18 CLUBHOUSE
- 19 PUTTING GREEN
- 20 VEHICLE ENTRANCE

MASTER SITE FEATURES

- 1 HOTEL, RESTAURANT & RESORT
- 2 CONFERENCE CENTER & HOTEL
- 3 CASITAS HOTEL BUNGALOWS, 80 UNITS
- 4 HEALTH SPA
- 5 GOLF ACADEMY
- 6 DISCOVERY GARDENS
- 7 SUPPORT SERVICES/MAINTENANCE FACILITY
- 8 OUTDOOR EXHIBITION
- 9 BOTANICAL EDUCATIONAL CENTER
- 10 CROP PRODUCTION
- 11 WINE CENTER
- 12 VEHICULAR BRIDGE

PLANTING LEGEND - WATER USE

-  LOW WATER USE PLANTING
-  MEDIUM WATER USE PLANTING
-  HIGH WATER USE PLANTING
-  GOLF - GRASS AREA
-  GOLF - SYNTHETIC GRASS AREA



Date: 3/24/14
File name: Discovery Gardens Site 5.1.rvt

CALL-OUT NOTES

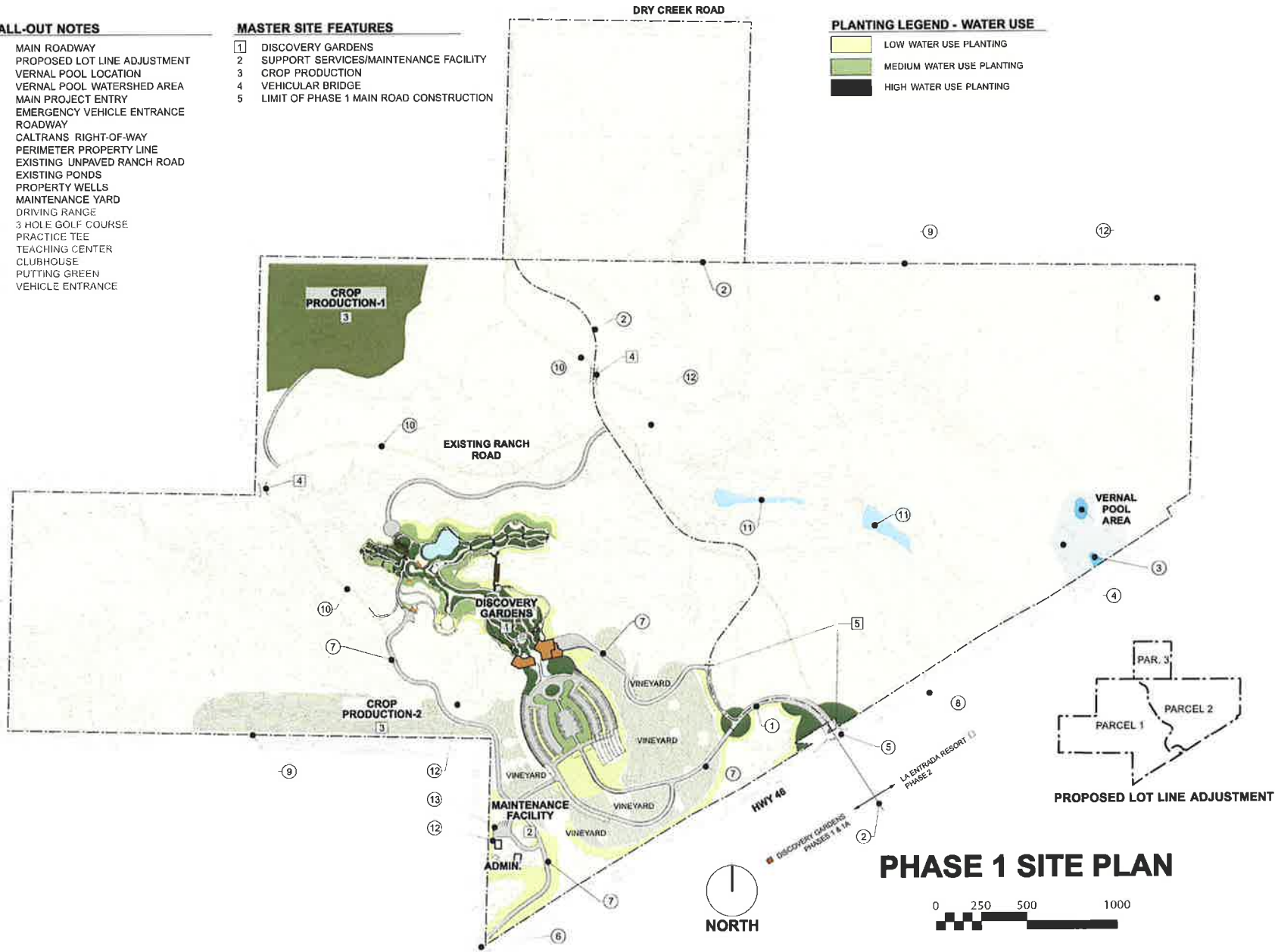
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- 2 PROPOSED LOT LINE ADJUSTMENT
- 3 VERNAL POOL LOCATION
- 4 VERNAL POOL WATERSHED AREA
- 5 MAIN PROJECT ENTRY
- 6 EMERGENCY VEHICLE ENTRANCE ROADWAY
- 7 CALTRANS RIGHT-OF-WAY
- 8 PERIMETER PROPERTY LINE
- 9 EXISTING UNPAVED RANCH ROAD
- 10 EXISTING PONDS
- 11 PROPERTY WELLS
- 12 MAINTENANCE YARD
- 13 DRIVING RANGE
- 14 3 HOLE GOLF COURSE
- 15 PRACTICE TEE
- 16 TEACHING CENTER
- 17 CLUBHOUSE
- 18 PUTTING GREEN
- 19 VEHICLE ENTRANCE

MASTER SITE FEATURES

- 1 DISCOVERY GARDENS
- 2 SUPPORT SERVICES/MAINTENANCE FACILITY
- 3 CROP PRODUCTION
- 4 VEHICULAR BRIDGE
- 5 LIMIT OF PHASE 1 MAIN ROAD CONSTRUCTION

PLANTING LEGEND - WATER USE

- LOW WATER USE PLANTING
- MEDIUM WATER USE PLANTING
- HIGH WATER USE PLANTING



ENTRADA de PASO ROBLES
HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Phase 1 Site Plan

A-2

Date: 11/22/13
File name: Discovery Gardens Site 5.1.lwx

CALL-OUT NOTES

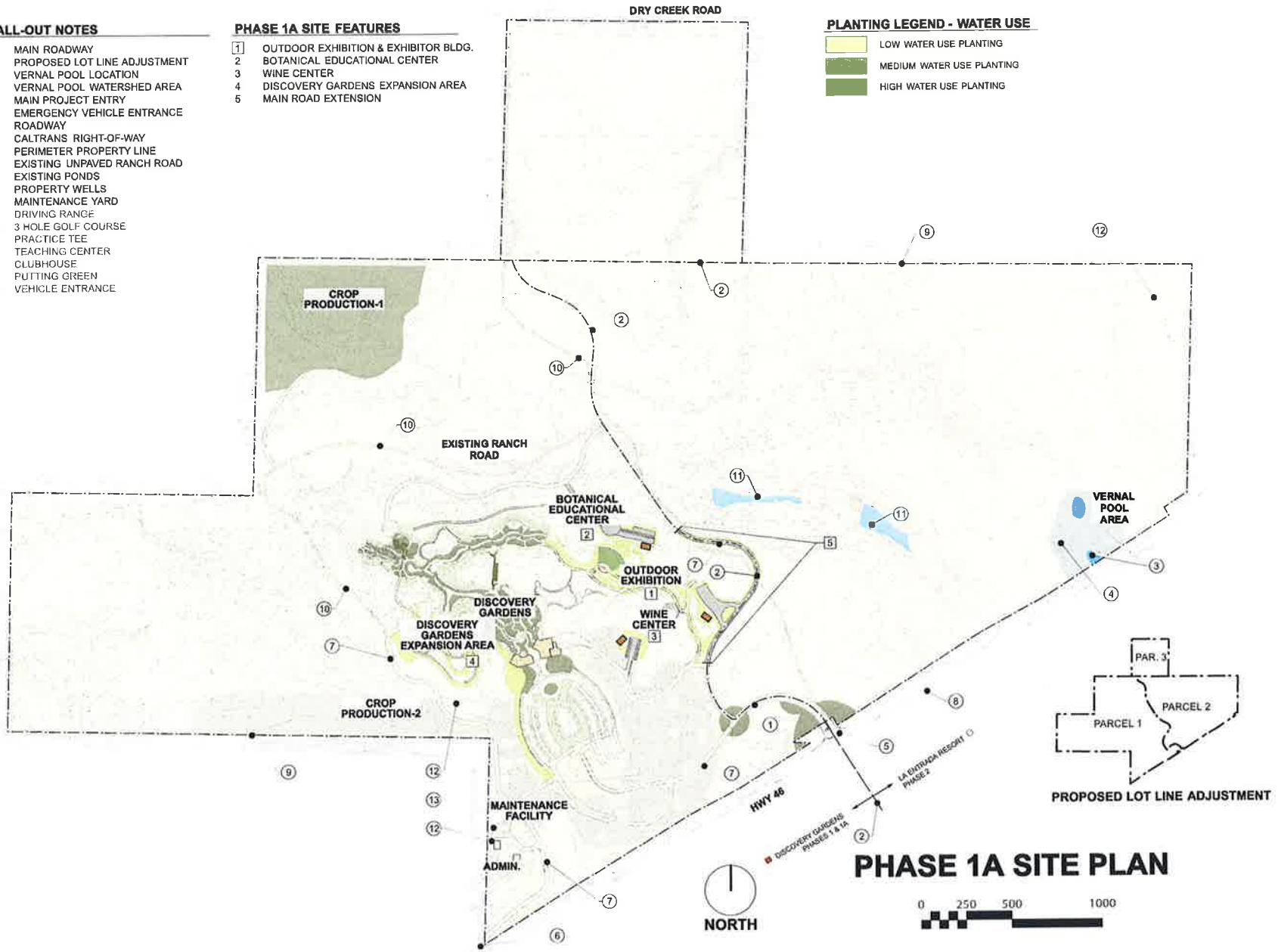
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- 13 MAINTENANCE YARD
- 14 DRIVING RANGE
- 15 3 HOLE GOLF COURSE
- 16 PRACTICE TEE
- 17 TEACHING CENTER
- 18 CLUBHOUSE
- 19 PUTTING GREEN
- 20 VEHICLE ENTRANCE

PHASE 1A SITE FEATURES

- 1 OUTDOOR EXHIBITION & EXHIBITOR BLDG.
- 2 BOTANICAL EDUCATIONAL CENTER
- 3 WINE CENTER
- 4 DISCOVERY GARDENS EXPANSION AREA
- 5 MAIN ROAD EXTENSION

PLANTING LEGEND - WATER USE

- LOW WATER USE PLANTING
- MEDIUM WATER USE PLANTING
- HIGH WATER USE PLANTING



Date: 11/22/13
File name: Discovery Gardens Site 5.lwx

CALL-OUT NOTES

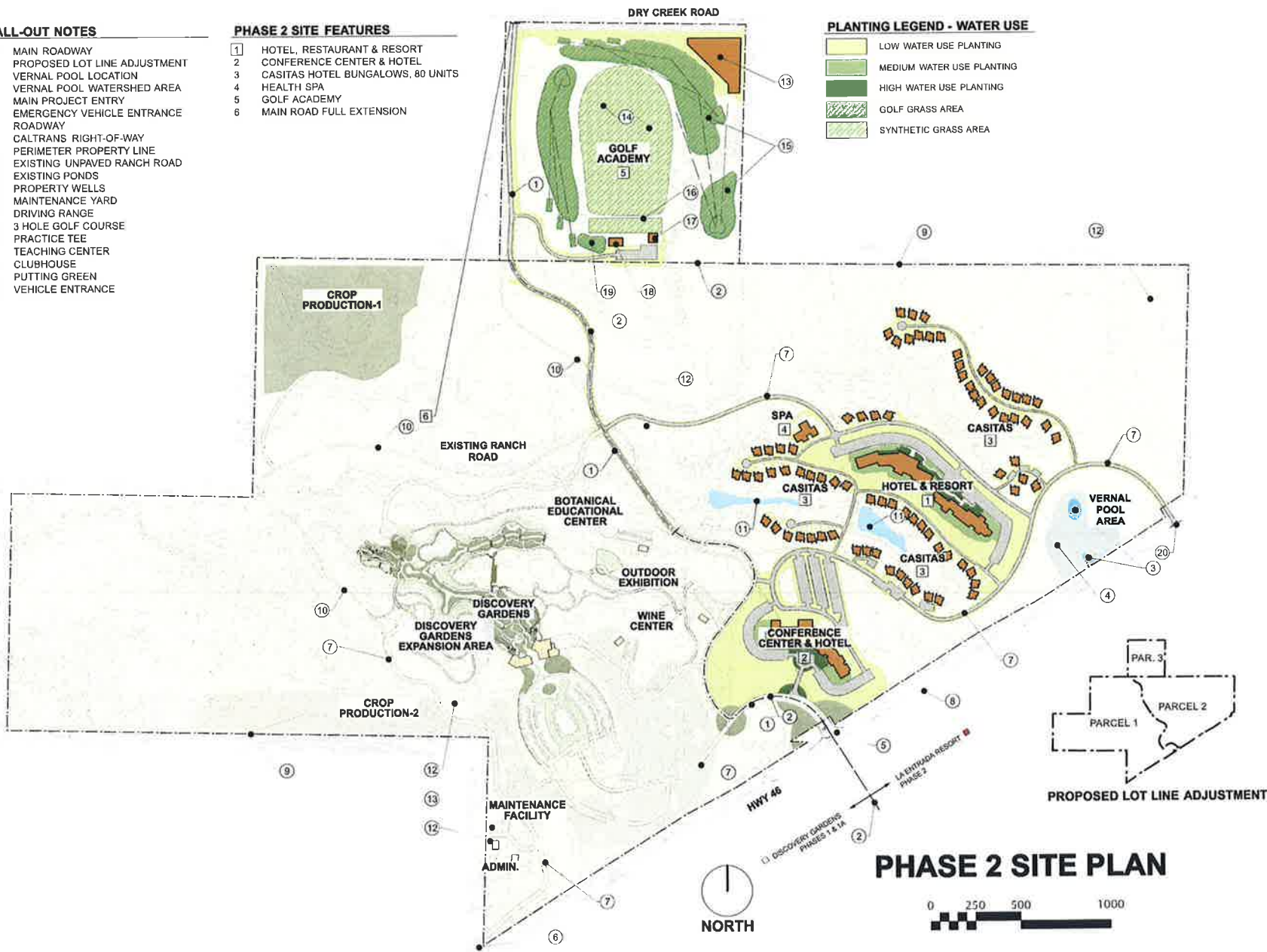
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- 14 DRIVING RANGE
- 15 3 HOLE GOLF COURSE
- 16 PRACTICE TEE
- 17 TEACHING CENTER
- 18 CLUBHOUSE
- 19 PUTTING GREEN
- 20 VEHICLE ENTRANCE

PHASE 2 SITE FEATURES

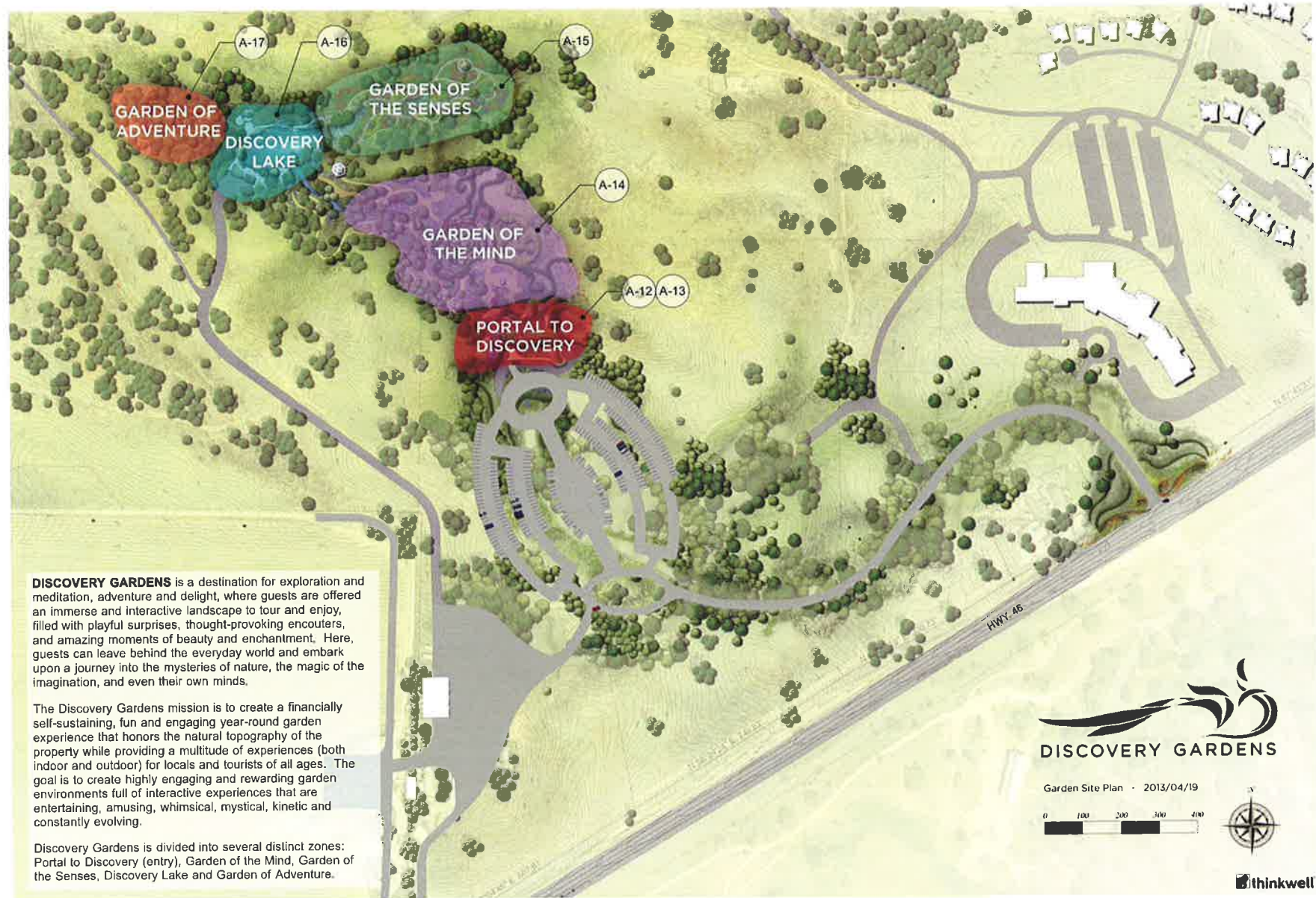
- 1 HOTEL, RESTAURANT & RESORT
- 2 CONFERENCE CENTER & HOTEL
- 3 CASITAS HOTEL BUNGALOWS, 80 UNITS
- 4 HEALTH SPA
- 5 GOLF ACADEMY
- 6 MAIN ROAD FULL EXTENSION

PLANTING LEGEND - WATER USE

- LOW WATER USE PLANTING
- MEDIUM WATER USE PLANTING
- HIGH WATER USE PLANTING
- GOLF GRASS AREA
- SYNTHETIC GRASS AREA



Date: 3/24/14
File name: Discovery Gardens Site 5.1.mxd



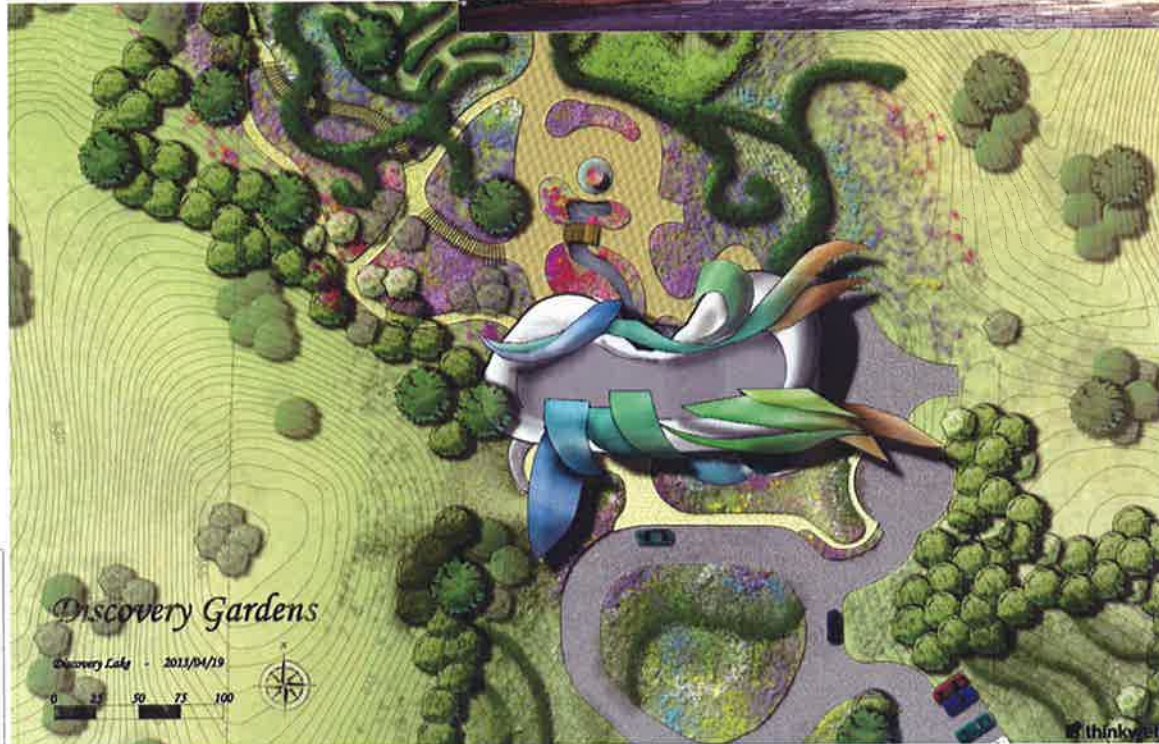
DISCOVERY GARDENS is a destination for exploration and meditation, adventure and delight, where guests are offered an immerse and interactive landscape to tour and enjoy, filled with playful surprises, thought-provoking encounters, and amazing moments of beauty and enchantment. Here, guests can leave behind the everyday world and embark upon a journey into the mysteries of nature, the magic of the imagination, and even their own minds.

The Discovery Gardens mission is to create a financially self-sustaining, fun and engaging year-round garden experience that honors the natural topography of the property while providing a multitude of experiences (both indoor and outdoor) for locals and tourists of all ages. The goal is to create highly engaging and rewarding garden environments full of interactive experiences that are entertaining, amusing, whimsical, mystical, kinetic and constantly evolving.

Discovery Gardens is divided into several distinct zones: Portal to Discovery (entry), Garden of the Mind, Garden of the Senses, Discovery Lake and Garden of Adventure.



CONCEPT SKETCH - FRONT ENTRANCE



ENLARGED SITE PLAN

PORTAL TO DISCOVERY provides an intriguing entry statement as guests arrive, appearing to blossom from the earth with larger-than-life sculpted plant forms. As an introduction to the various gardens, the Portal engages guests with interactive experiences that offer tantalizing glimpses of the surprises that await them on their journey, as well as providing a place for gathering.

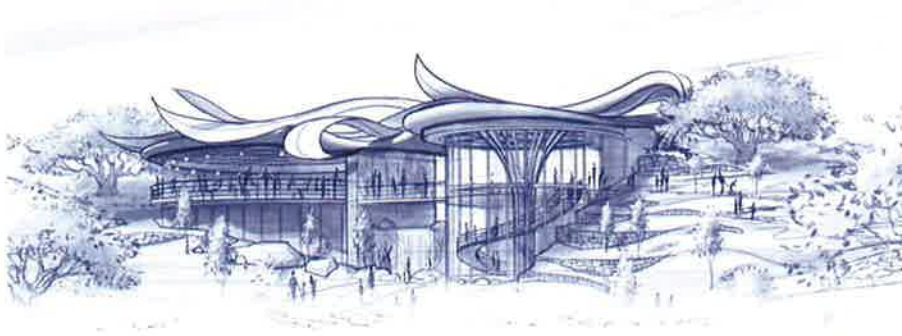
The upper level includes:

- Guest Services & Ticketing
- The Terrace Cafe
- Taste of Discovery (Beverage Tasting Experience)
- Discovery Gardens Gift Shop

On the lower level, guests will find Discovery Grove, an indoor, immersive, highly interactive walk-through experience, a digital "forest" where nature takes on a more abstract form. Discovery Grove environments include:

- "Reflections" - an interactive media experience that explores natural light, shadow and color, and our relationship to those elements;
- "Soundstations" - immersive environments that explore natural and manmade sounds;
- "Mindwalk" - an interactive media experience that explores the connection between geometry and patterns found in nature.

PORTAL TO DISCOVERY DISCOVERY GARDENS



CONCEPT SKETCH - REAR VIEW



LOWER FLOOR PLAN



UPPER FLOOR PLAN



PORTAL TO DISCOVERY
DISCOVERY GARDENS



ENLARGED SITE PLAN



CONCEPT SKETCH

GARDEN OF THE MIND focuses on optical illusions and shifting perspectives, creating puzzles and challenges that pique guests' curiosity and take them on a transformative journey.

In addition to several interactive sculptures and garden elements such as the Anamorphic Fountain, the Hidden Hedge and the Bamboozled Forest, this area incorporates a small Performance Area for musical performances, events and seasonal activities.

At the north end of the garden, guests will discover Tunnel Obscura, a light-controlled interactive underground tunnel that connects the Garden of the Mind and the Garden of the Senses (an alternate pathway between the two gardens). Guests are treated to various digital illusions and interactions as they move through the Tunnel, and will find that their actions affect the experiences they encounter as they travel.

GARDEN OF THE MIND DISCOVERY GARDENS

Date: 11/20/13
 File name: Discovery Gardens Exhibits 1.7.vwx



ENLARGED SITE PLAN



CONCEPT SKETCH

In **GARDEN OF THE SENSES**, guests can engage their sense of sight, sound, touch, and smell as they explore everything from light and shadow gardens that shape, reflect and refract light, to whimsical interactive musical sculptures and fragrant garden experiences. In this garden, guests will encounter ultra-vivid and breathtakingly colorful elements that playfully explore our relationship to nature.

Experiences based on sight include a Shadow Wall and the Color Bath, an outdoor "room" where guests can bathe in reflected and refracted light. Tactile touch and movement experiences include the visually stimulating Wall of Wind, the Double Bubble, a bubble-making sculpture, and kinetic Wind Walkers that punctuate the landscape. The Sound Bridge, a pedestrian bridge that emits soothing musical wind chime tones, along with the Choral Harp and parabolic Whisper Dishes located throughout the garden, provide guests delightful auditory experiences. They will also be delighted by the pleasant fragrance of the Bouquet Garden wafting through the air, as those with an adventurous palate will be treated to a variety of bizarre tastes at the food and drink kiosk, Strange Taste.

GARDEN OF THE SENSES DISCOVERY GARDENS

ENTRADA de PASO ROBLES
 HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Discovery
 Gardens
 Garden of the
 Senses

A-15



ENLARGED SITE PLAN



CONCEPT SKETCH

DISCOVERY LAKE is the central unifying element that helps connect all of the gardens together; it features fountains, waterfalls and playful water interactives that will surprise and excite guests.

Embedded in the lake is Discovery Fountain, a dynamic array of fountain jets that perform choreographed "water ballets" throughout the day and come to life for the Twilight Discovery nighttime show, "Seasons of Discovery". Set along the north edge of the lake is Mystery Falls, a series of waterfalls with a dynamic flow of water that shifts during the day, providing an intriguing backdrop for a pedestrian pathway that allows guests to walk "through" the falls.

Along the perimeter of the lake are a number of sculptures and interactive features that harness the power and beauty of water in mesmerizing ways, including the Ice Waterfall, the Mist Portal and the Rain Tree. Children will delight in the pop jets and other fun water play elements located at the Lilli Pad.

Guests will also find restroom facilities located at the lake, as well as the Garden Cafe, where they can enjoy a beverage or light snack while relaxing and taking in the beautiful scenery.

DISCOVERY LAKE DISCOVERY GARDENS



ENLARGED SITE PLAN



CONCEPT SKETCH

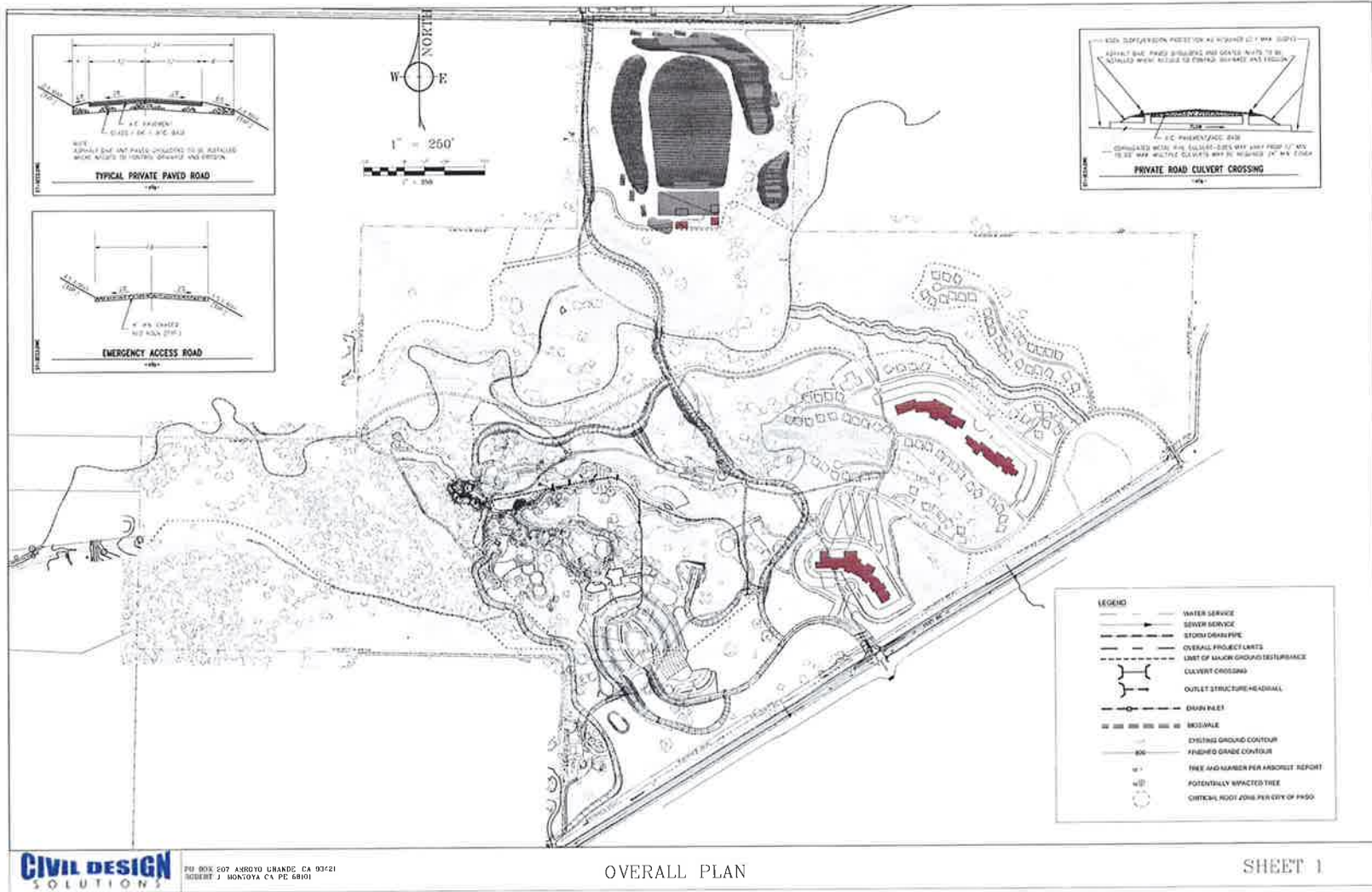
In **GARDEN OF ADVENTURE**, the energetic explorer has the opportunity to climb, clamber, and actively engage in an exploratory environment where portals and passages transport them to a surprising and mysterious underground destination that is truly magical.

Guests will enter the garden via the Tanglewood Path, a mysterious formation of intertwined trees and plant life. The adventurous of all ages will enjoy discovering Exploration Stations, a series of multi-level vertical mazes, or will have fun negotiating the Rope Bridge or the Net Climb, or can storm their way down the valley by Zip Line or Super Slide. For those who wish for a less adventurous journey, they can take the Alchemy Caverns Funicular.

Guests gradually wind their way through the garden to arrive at Alchemy Caverns, a mysterious and enchanting interior cave-like environment full of surprises, including the Enchanted Rock Garden, the Cave of Sound, and the Rain Passage. Guests eventually come to the Geode, a crystalline forest of embedded geode crystals that comes "alive" based on the interactions of the guests. The Hall of Shadows leads back to the cavern entrance, where guests can choose from various garden paths, or take the Funicular, back to the garden entry.

GARDEN OF ADVENTURE DISCOVERY GARDENS

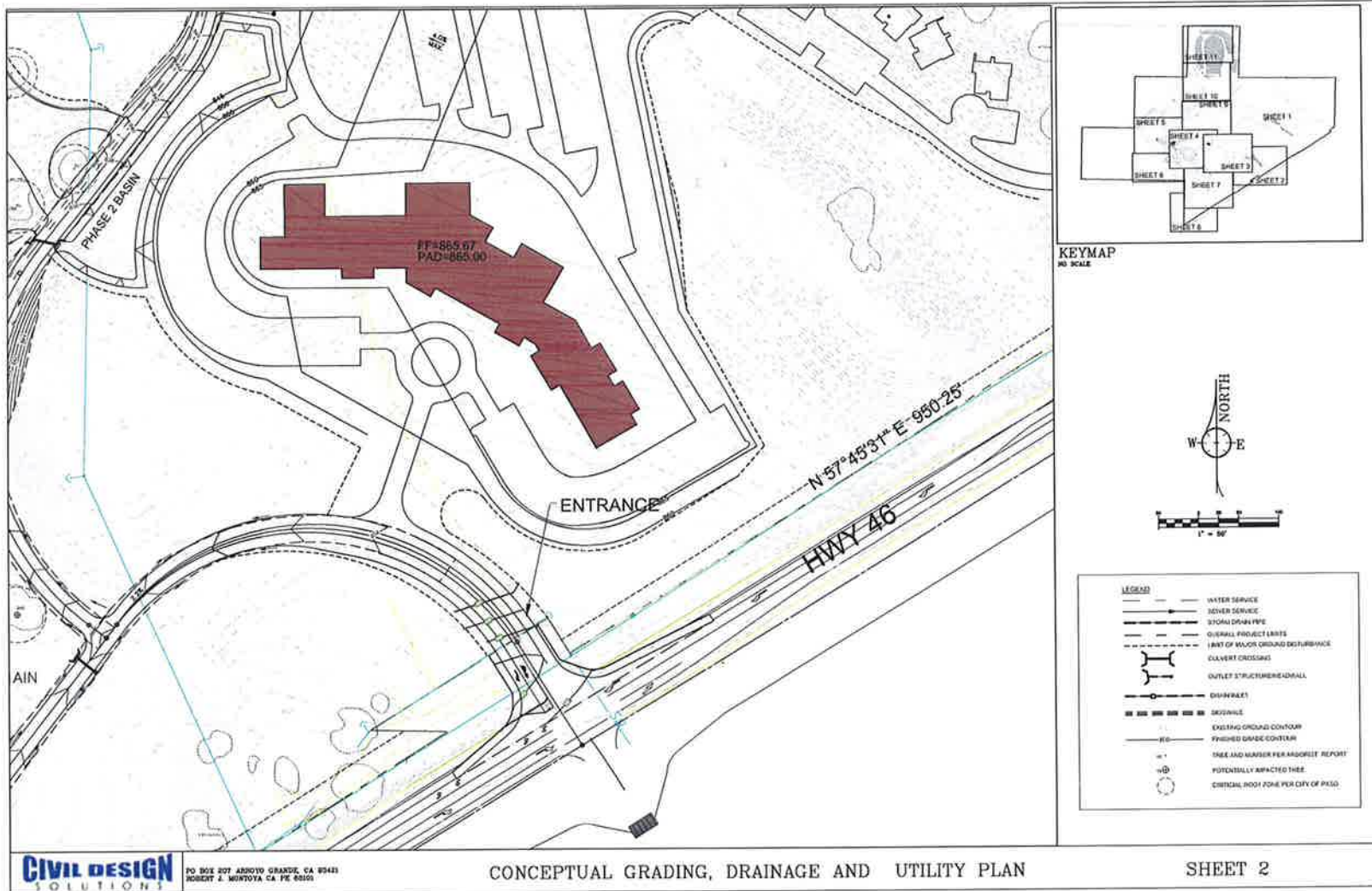
Date: 11/22/13
 File name: Discovery Gardens Consultant Exhibits 10.wvx



ENTRADA de PASO ROBLES
 HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Overall Plan
C-1

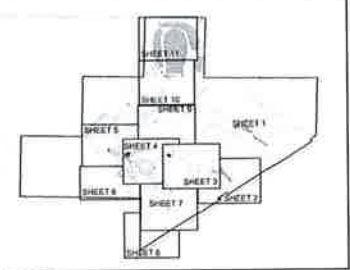
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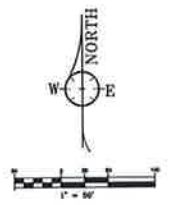
CIVIL DESIGN SOLUTIONS
 PO BOX 207 ARROYO GRANDE, CA 93421
 ROBERT J. MONTONA CA PE 40101

CONCEPTUAL GRADING, DRAINAGE AND UTILITY PLAN

SHEET 2



KEYMAP
 NO SCALE



LEGEND

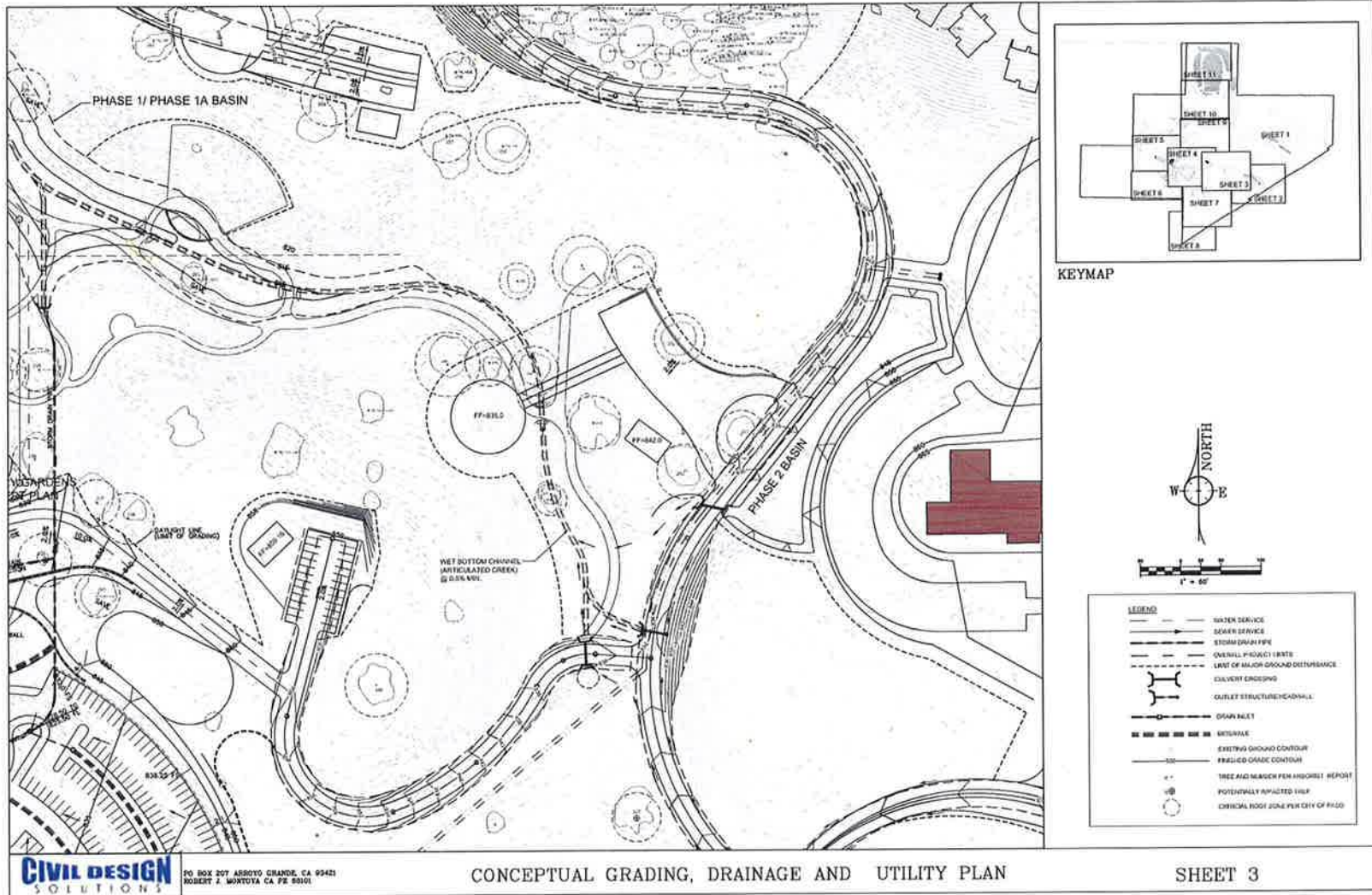
	WATER SERVICE
	SEWER SERVICE
	STORM DRAIN PIPE
	OVERALL PROJECT LIMITS
	LIMIT OF MAJOR GROUND DISTURBANCE
	CULVERT CROSSING
	OUTLET STRUCTURE SMALL
	DRIVEWAY
	EASEMENT
	EXISTING GROUND CONTOUR
	FINISHED GRADE CONTOUR
	TREE AND NUMBER PER ARBORIST REPORT
	POTENTIALLY IMPACTED TREE
	CRITICAL ROOT ZONE PER CITY OF PASO

ENTRADA de PASO ROBLES
 HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual
 Grading,
 Drainage and
 Utility Plan

C-2

Date: 1/9/14
 File name: Discovery Gardens Consultant Exhibits 11.wrx



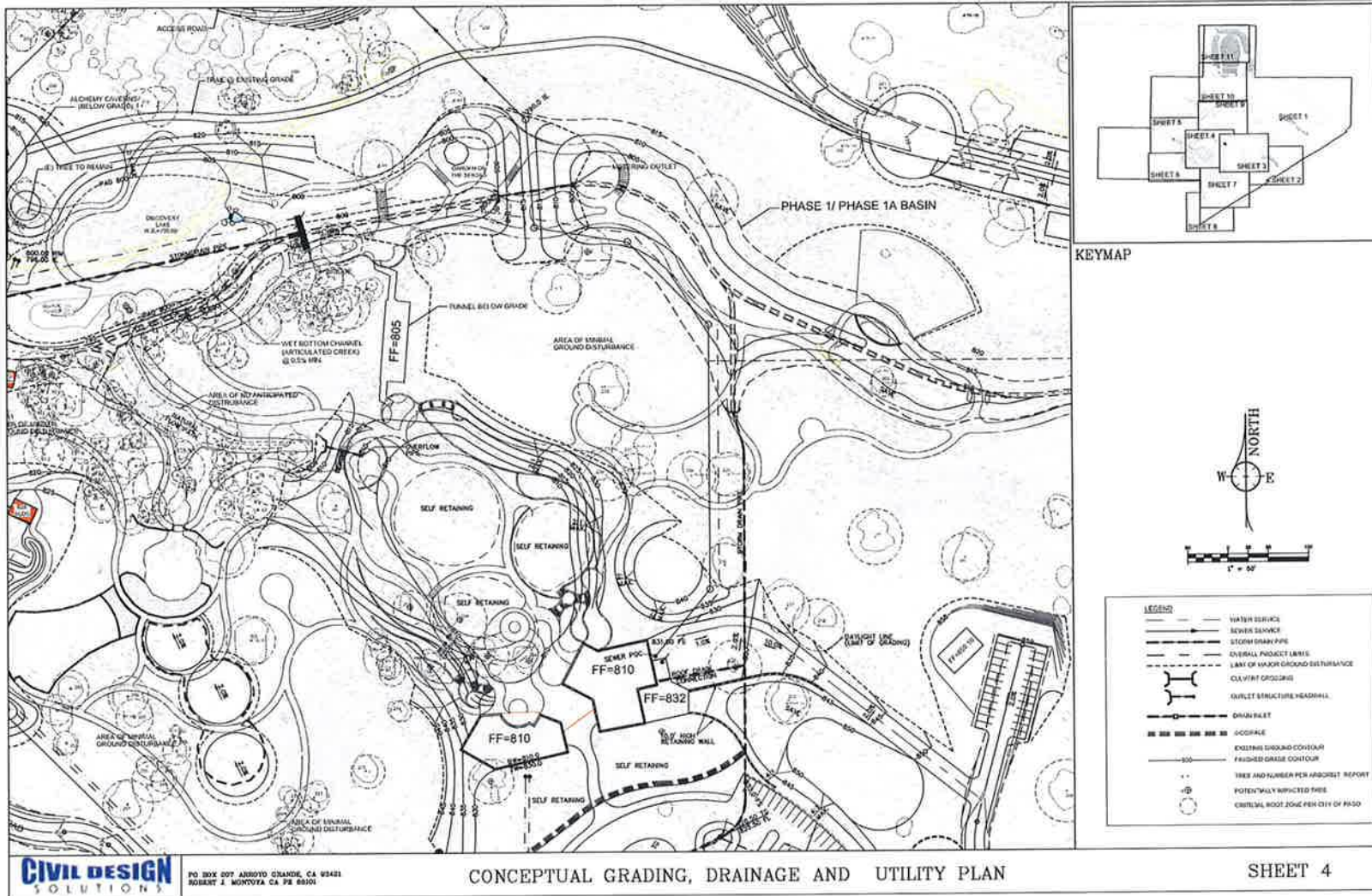
ENTRADA de PASO ROBLES

HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual
 Grading,
 Drainage and
 Utility Plan

C-3

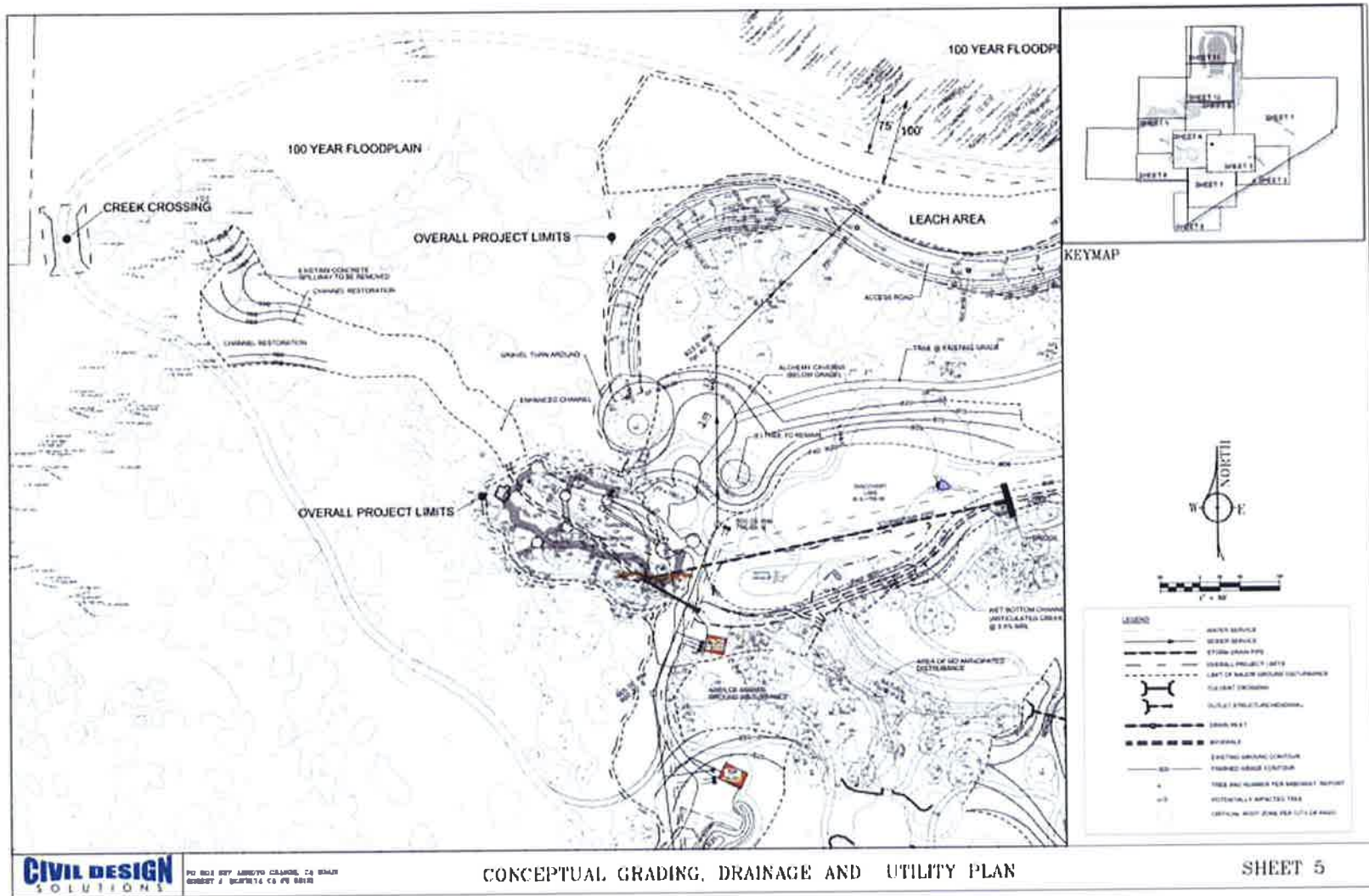
Date: 1/9/14
 File name: Discovery Gardens Consultant Exhibits 1.1.txd



ENTRADA de PASO ROBLES
 HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual Grading, Drainage and Utility Plan
C-4

Date: 2/19/14
 File name: Discovery Gardens Consultant Exhibits 12.wx

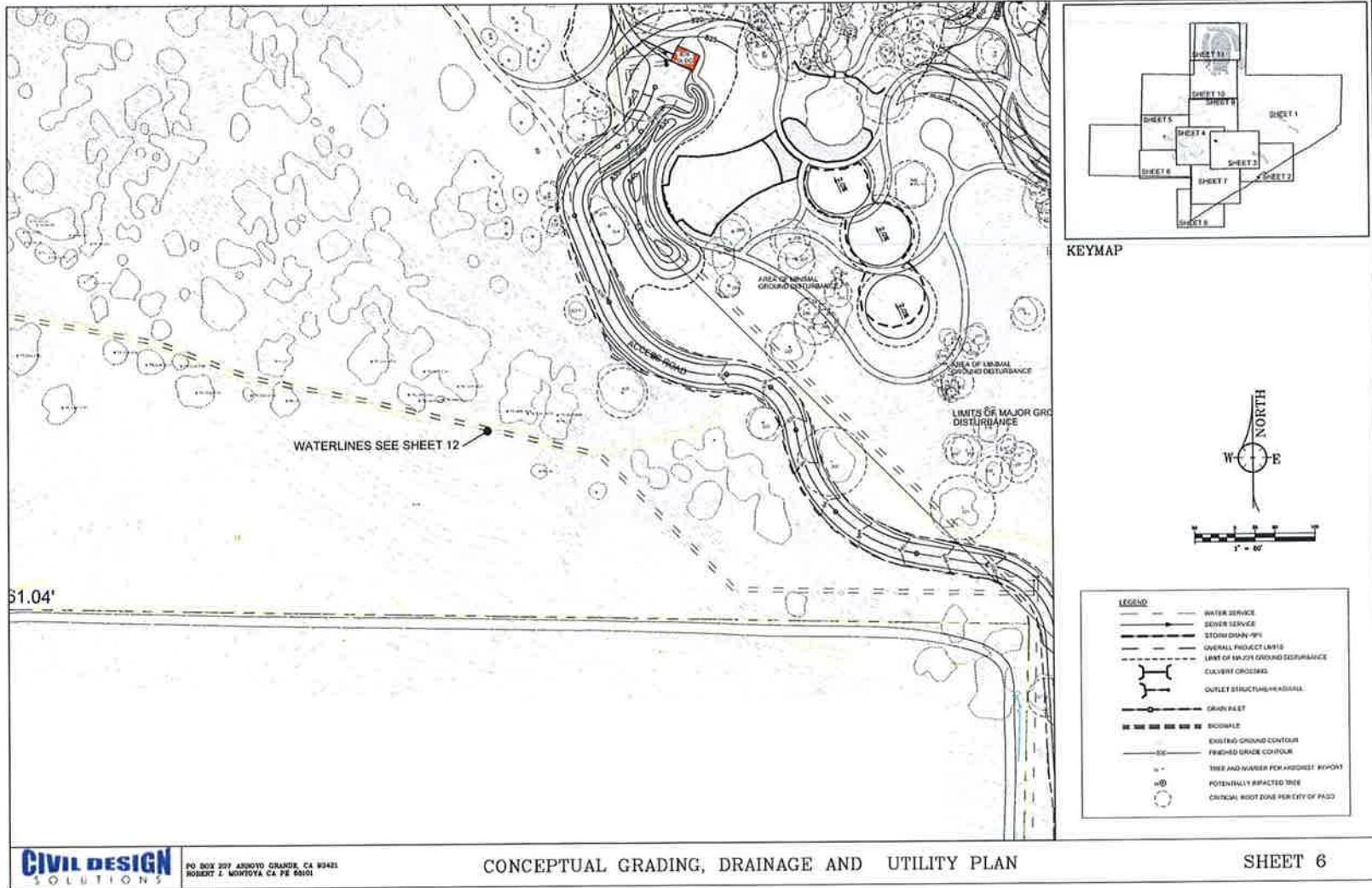


ENTRADA de PASO ROBLES
 HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual Grading, Drainage and Utility Plan

C-5

Date: 1/9/14
 File name: Discovery Gardens Consultant Exhibits 1.1.wrx



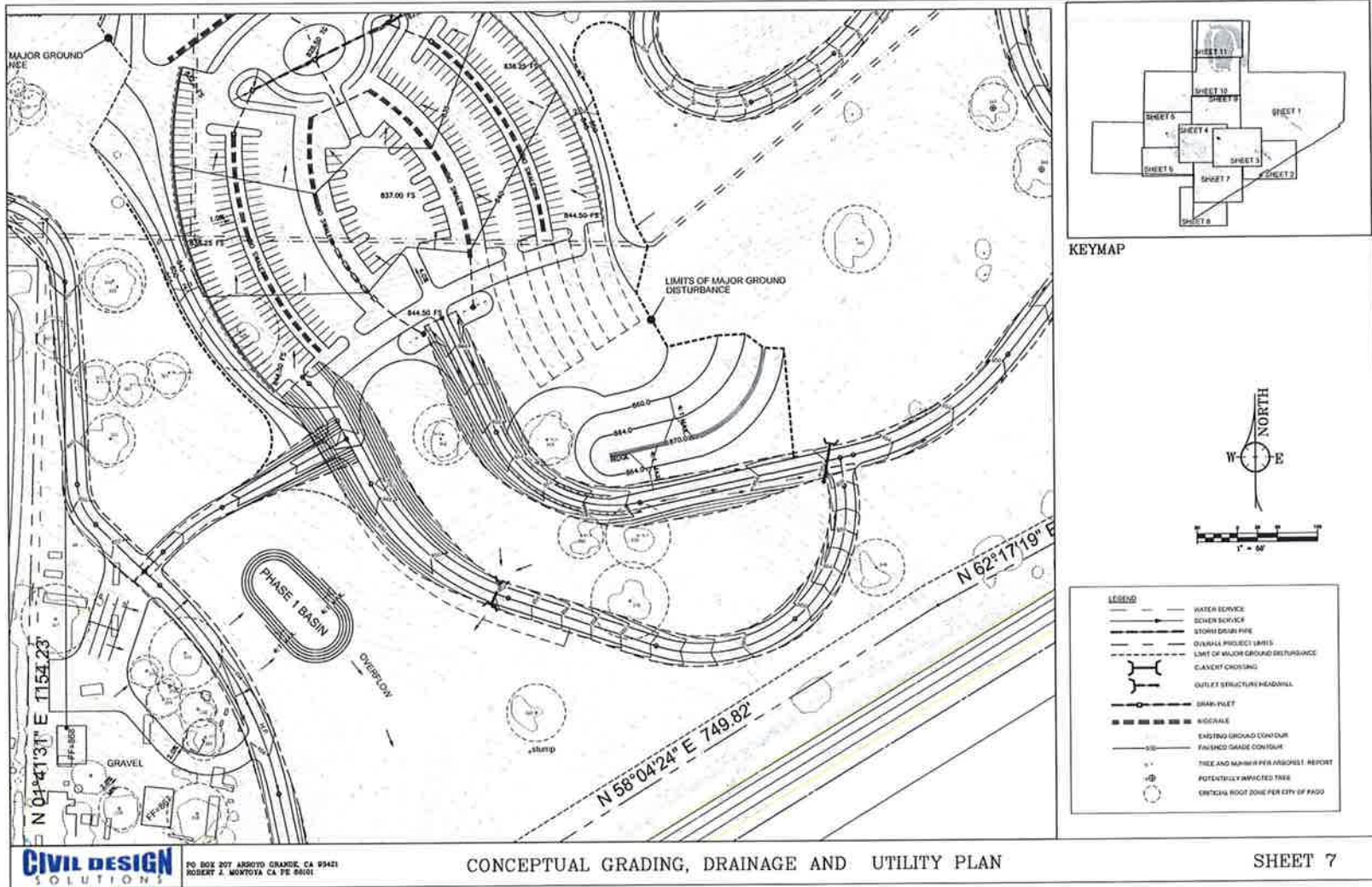
ENTRADA de PASO ROBLES

HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual
 Grading,
 Drainage and
 Utility Plan

C-6

Date: 1/9/14
 File name: Discovery Gardens Consultant Exhibits 11.wxd

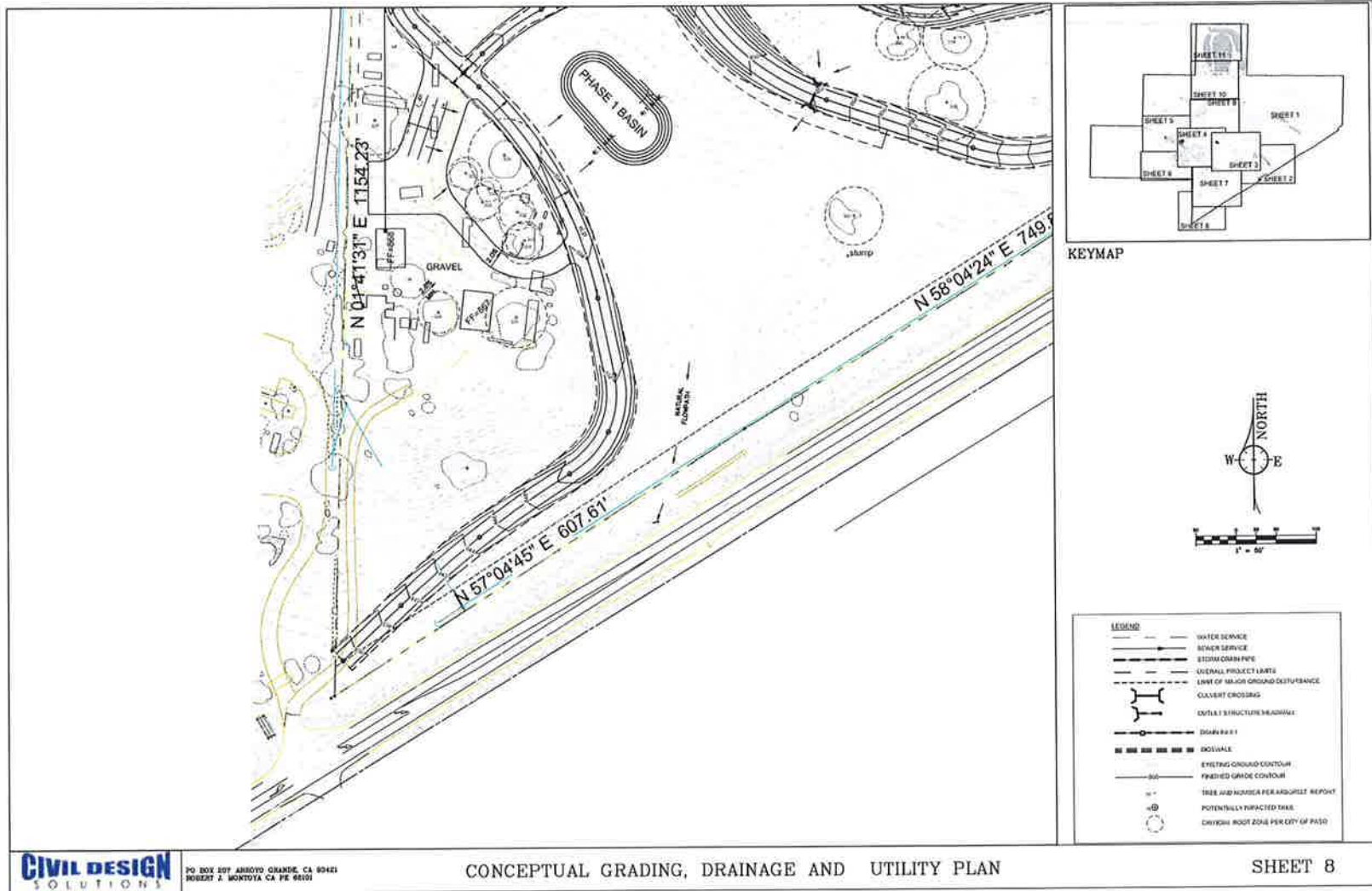


ENTRADA de PASO ROBLES

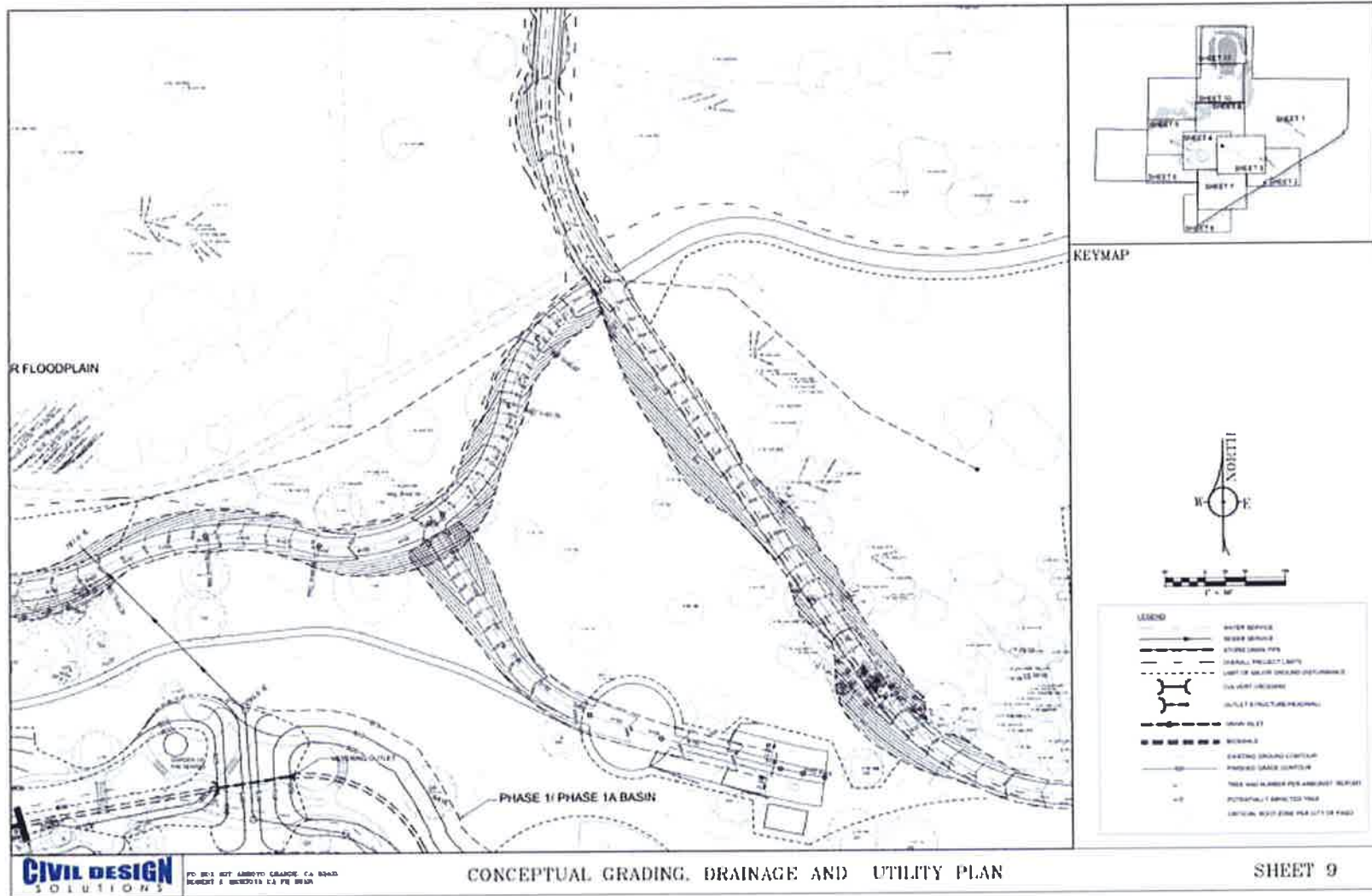
HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual
 Grading,
 Drainage,
 and
 Utility Plan

C-7



Date: 2/19/14
File name: Discovery Gardens Consultant Exhibits 12.vwx

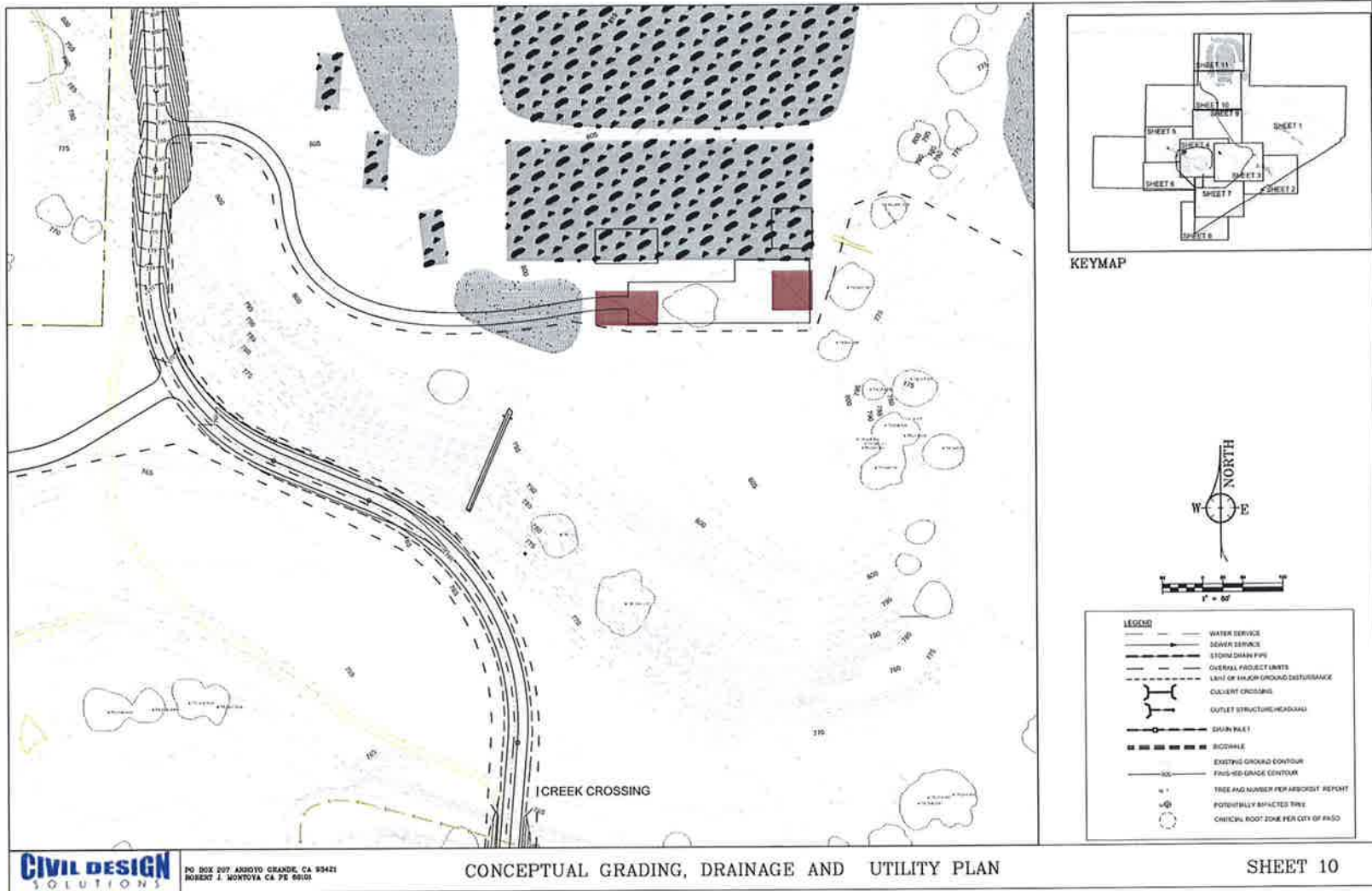


ENTRADA de PASO ROBLES

HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual
Grading,
Drainage and
Utility Plan

C-9



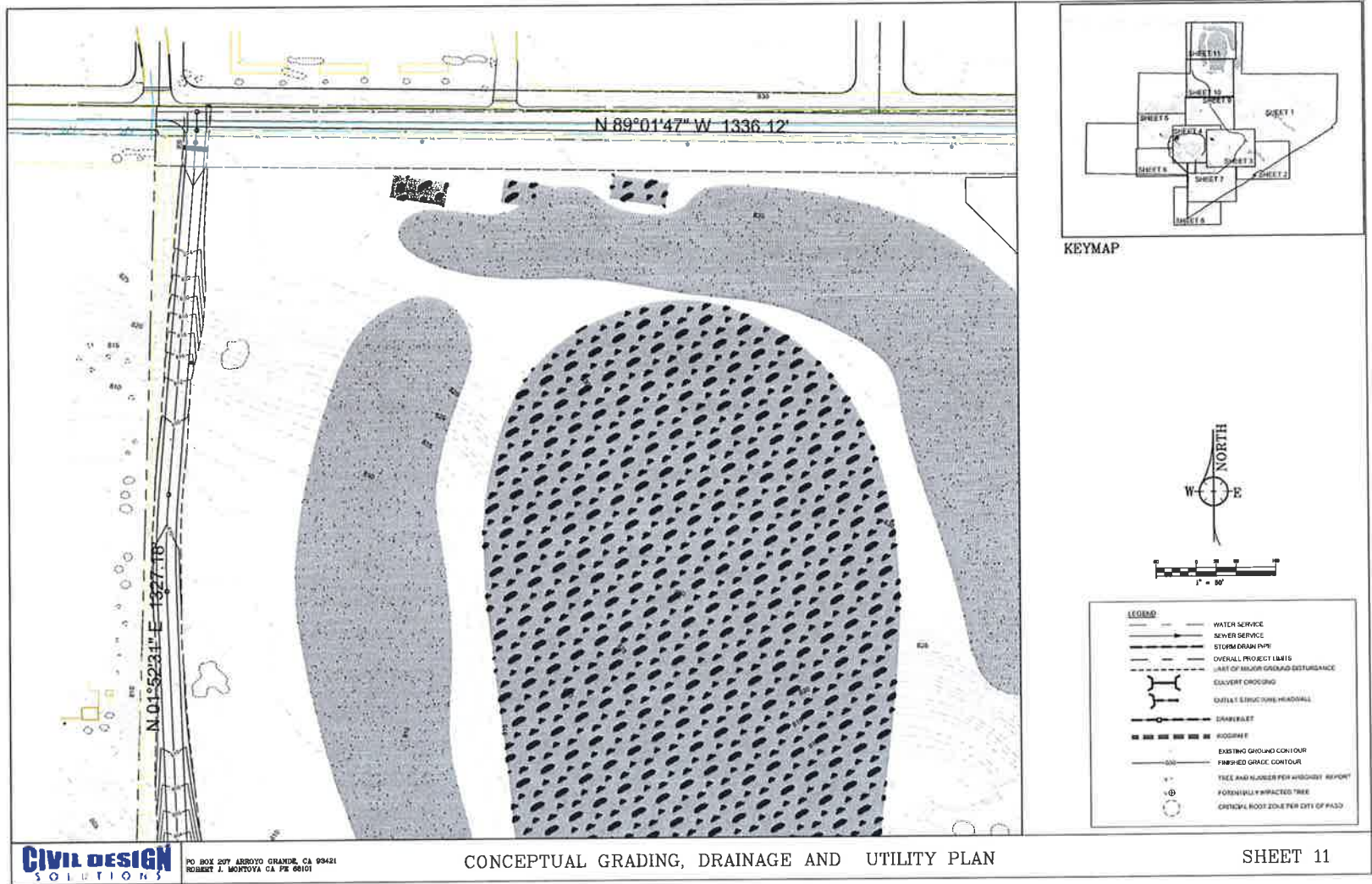
ENTRADA de PASO ROBLES

HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual
 Grading,
 Drainage and
 Utility Plan

C-10

Date: 11/22/13
 File name: Discovery Gardens Consultant Exhibits 10.wvx

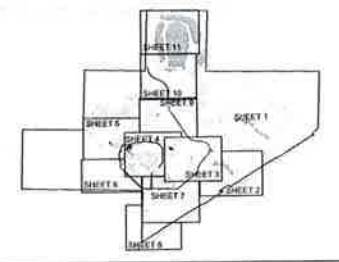


CIVIL DESIGN SOLUTIONS

PO BOX 207 ARROYO GRANDE, CA 93421
 ROBERT J. MONTOYA, CA PK 00101

CONCEPTUAL GRADING, DRAINAGE AND UTILITY PLAN

SHEET 11



KEYMAP



LEGEND	
	WATER SERVICE
	SEWER SERVICE
	STORM DRAIN PIPE
	OVERALL PROJECT LIMITS
	LIMIT OF MINOR GROUND DISTURBANCE
	CULVERT CROSSING
	OUTLET STRUCTURE HEADWALL
	MANHOLE
	ROADWAY
	EXISTING GROUND CONTOUR
	FINISHED GRADE CONTOUR
	TREE AND NUMBER PER ARBORIST REPORT
	POTENTIALLY IMPACTED TREE
	CRITICAL ROOT ZONE PER CITY OF PASO

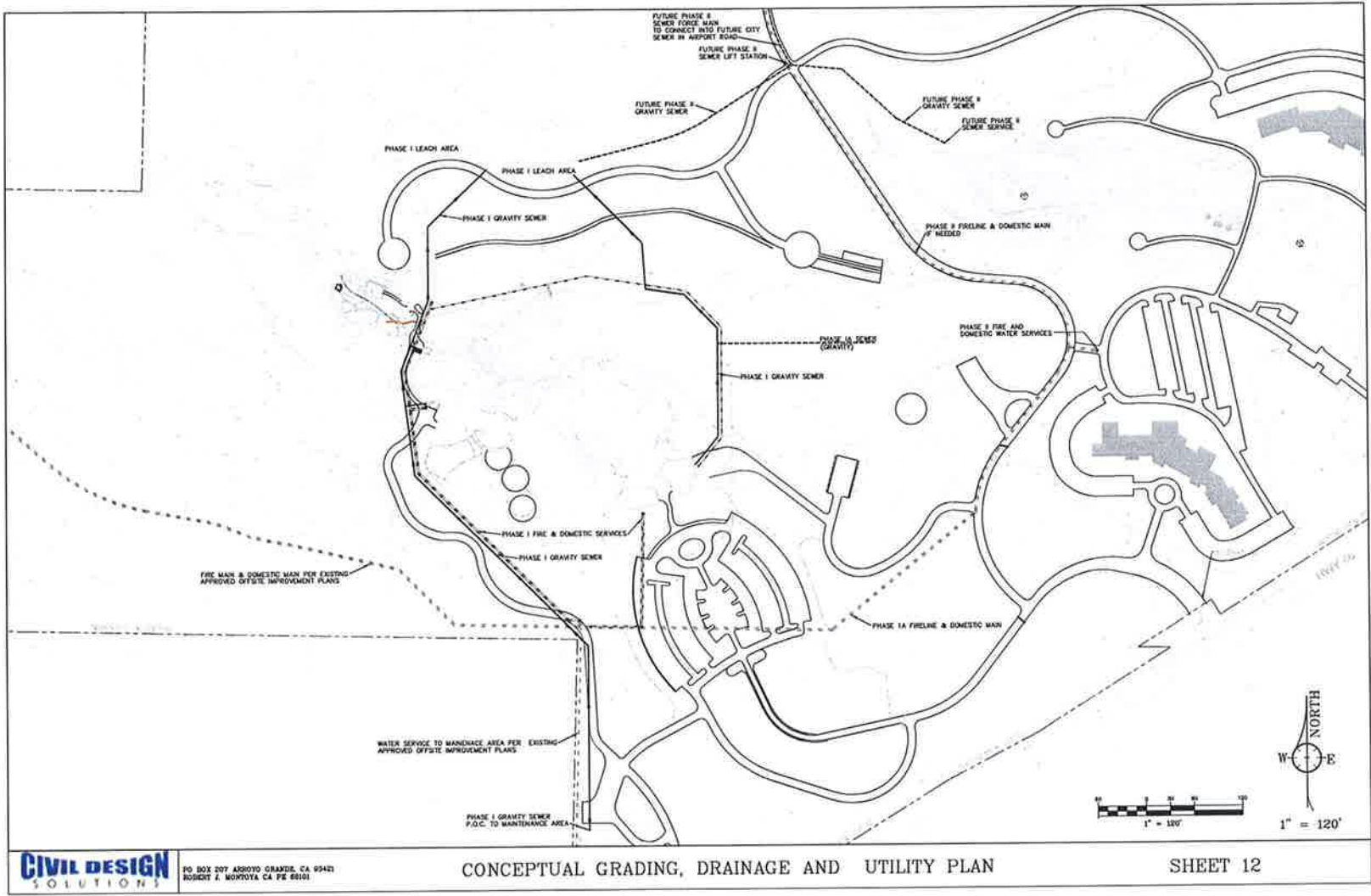
ENTRADA de PASO ROBLES

HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual Grading, Drainage and Utility Plan

C-11

Date: 11/22/13
 File name: Discovery Gardens Consultant Exhibits 1.0.wx



CIVIL DESIGN SOLUTIONS

PO BOX 207 AROOYO GRANDE, CA 95421
 RICHMOND 2 MONROVIA CA 92651

CONCEPTUAL GRADING, DRAINAGE AND UTILITY PLAN

SHEET 12

ENTRADA de PASO ROBLES

HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Conceptual Grading, Drainage and Utility Plan

C-12

RESOLUTION NO.

**A RESOLUTION OF
THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES
APPROVING CONDITIONAL USE PERMIT AMENDMENT 01-017
4380 STATE ROUTE 46 EAST, APNs 025-431-044, -045, -049
APPLICANT – KEN HUNTER
ENTRADA DE PASO ROBLES**

WHEREAS, an amendment to Conditional Use Permit 01-017 has been filed by Ken Hunter; and

WHEREAS, this application includes a proposal to modify the previously approved Master Site Plan and certain land uses. The proposal includes maintaining the entitlement of a 200-room hotel, 80 casitas guest units, conference center, hotel restaurant, and wine center. Specific modifications include eliminating the 27-hole golf course and replacing it with a destination garden-themed attraction “Discovery Gardens”, café at the gardens, ornamental landscaping production area, 18-acre vineyard, and a 3-hole golf academy; and

WHEREAS, the project is consistent with the General Plan land use designation and Zoning of Parks and Open Space (POS) and Agriculture (AG), the Paso Robles Airport Land Use Plan, Economic Strategy, and the Gateway Design Standards; and

WHEREAS, an amendment to Planned Development 01-025 has been filed in conjunction with this Conditional Use Permit Amendment to allow establishment of the Discovery Gardens, golf academy, hotel, conference center and ancillary uses; and

WHEREAS, applications for a Lot Line Adjustment (PR 13-0102) and an Oak Tree Removal Permit (OTR 14-003) have been submitted concurrently with amendments to the Planned Development (PD 01-025 and Conditional Use Permit (CUP 01-017); and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 13, 2014 on this project to accept public testimony on the proposed amendments to PD 01-025 and CUP 01-017, and LLA PR 13-0102, and OTR 14-003; and

WHEREAS, any oak tree removals requested to accommodate the proposed development site plan shall be approved by the City Council, and oak tree replacements shall be established in compliance with the City’s Oak Tree Preservation Ordinance; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City’s Procedures for Implementing CEQA, an Addendum to the adopted Mitigated Negative Declaration was prepared and has been added to the Mitigated Negative Declaration environmental document of record, which is considered under a separate resolution; 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 conditions:

STANDARD CONDITIONS

1. The project shall be operated in substantial conformance with the following conditions established in this resolution:
2. 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.

3. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
4. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
5. Use and operation of the business and its appurtenances shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance).

SITE SPECIFIC CONDTIONS

6. The applicant shall comply with all applicable noise and nuisance regulations, including the General Plan Noise Element standards and the Municipal Code.
7. If the City receives complaints or is made aware of operational problems resulting from the Discovery Gardens or Resort uses, the Planning Commission shall reconsider this CUP with the purpose of developing solutions to address issues that may arise.
8. The project proponent shall connect to the City's recycled water system for non-potable water supply for site irrigation when it becomes available and is offered to the applicant.
9. Consistent with Table 5 in the Airport Land Use Plan, project operations may not exceed the maximum non-residential land use densities and minimum required open space. For property in Airport Safety Zone 3, no more than 60 persons (average) per acre may be permitted, with a maximum of 120 persons per single acre of land. For property in Airport Safety Zone 5, no more than 150 persons (average) per acre may be permitted, with a maximum of 450 persons per single acre of land.

PASSED AND ADOPTED THIS 13th day of May, 2014 by the following Roll Call Vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

CHAIRMAN DOUG BARTH

ATTEST:

ED GALLAGHER, PLANNING COMMISSION SECRETARY

RESOLUTION NO.

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING LOT LINE ADJUSTMENT PR 13-0102
4380 STATE ROUTE 46 EAST, APNs 025-431-044, -045, -049
APPLICANT – KEN HUNTER
ENTRADA DE PASO ROBLES**

WHEREAS, and application for a Lot Line Adjustment (LLA) PR 13-0102 has been filed by Ken Hunter to adjust existing property lines of two parcels for property at 4380 State Route 46 East, APNs 025-431-044, -045, -049; and

WHEREAS, applications for a Lot Line Adjustment (PR 13-0102) and an Oak Tree Removal Permit (OTR 14-003) have been submitted concurrently with amendments to the Planned Development (PD 01-025 and Conditional Use Permit (CUP 01-017); and

WHEREAS, the LLA is consistent with the General Plan land use designation and Zoning of Parks and Open Space (POS) and Agriculture (AG), the Paso Robles Airport Land Use Plan, Economic Strategy, and the Gateway Design Standards; and

WHEREAS, the proposed LLA is Categorically Exempt from environmental review per Section 15315 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA), Class 15, Minor Land Divisions; 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:

Findings:

1. The Lot Line Adjustment would result in Parcel 1 (146.4 acres) and Parcel 2 (201.0 acres).
2. There is no minimum lot size for property in the Parks and Opens Space Zoning District, and the minimum lot size for parcels in the Agricultural Zoning District is 20 acres. Parcel 2 would include property partially in th e Agricultural Zoning District, therefore Parcel 2 would exceed the minimum lot size allowed for in the Agricultural Zone and the LLA complies with the zoning code standards for the City of El Paso de Robles.

Conditions of Approval:

1. LLA PR 13-0102 shall conform to the attached map in Exhibit A.
2. This lot line adjustment will expire in 2 years on May 13, 2016 if a parcel map or certificates of compliance have not been recorded to finalize this approval, or if a time extension has not been requested, with appropriate fees paid, prior to the expiration date.

3. The Final Map or Certificates of Compliance shall be in substantial compliance with the attached Exhibit A. All conditions shall be complied with in a manner subject to approval of the City of El Paso de Robles.
4. A registered civil engineer or land surveyor shall prepare the lot line adjustment.
5. All new property corners shall be installed.
6. Prior to recordation of a final parcel map or certificates of compliance, the applicant shall provide on a 3.5 inch disk or IBM-compatible CD a copy of all signed and stamped approved plans, exhibits, resolutions, and all submittal materials and other documentation pertaining to approval of this application in PDF format for electronic archiving. The applicant may elect to have the City send out the documents for scanning at the applicant's expense.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby approve LLA PR 13-0102, subject to the Conditions of Approval listed in this resolution.

PASSED AND ADOPTED THIS 13th day of May, 2014 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN, DOUG BARTH

ATTEST:

ED GALLAGHER, PLANNING COMMISSION SECRETARY

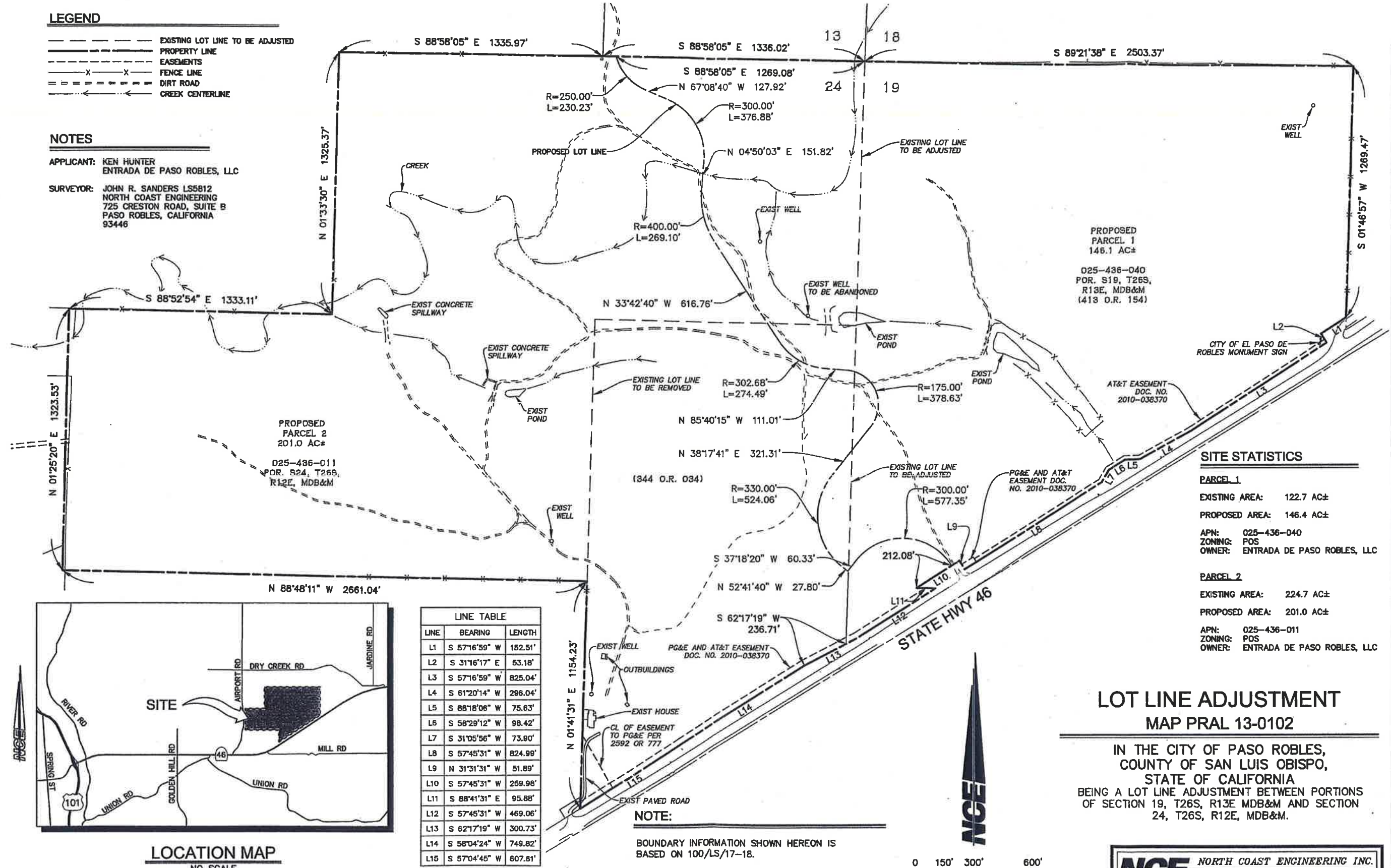
LEGEND

- EXISTING LOT LINE TO BE ADJUSTED
- PROPERTY LINE
- EASEMENTS
- FENCE LINE
- DIRT ROAD
- CREEK CENTERLINE

NOTES

APPLICANT: KEN HUNTER
ENTRADA DE PASO ROBLES, LLC

SURVEYOR: JOHN R. SANDERS LS5812
NORTH COAST ENGINEERING
725 CRESTON ROAD, SUITE B
PASO ROBLES, CALIFORNIA
93446



PROPOSED
PARCEL 1
146.1 AC±
025-436-040
POR. S19, T26S,
R13E, MDB&M
(418 O.R. 154)

PROPOSED
PARCEL 2
201.0 AC±
025-436-011
POR. S24, T26S,
R12E, MDB&M

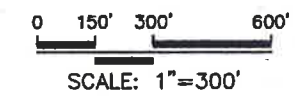
SITE STATISTICS

PARCEL 1
EXISTING AREA: 122.7 AC±
PROPOSED AREA: 146.4 AC±
APN: 025-436-040
ZONING: POS
OWNER: ENTRADA DE PASO ROBLES, LLC

PARCEL 2
EXISTING AREA: 224.7 AC±
PROPOSED AREA: 201.0 AC±
APN: 025-436-011
ZONING: POS
OWNER: ENTRADA DE PASO ROBLES, LLC

LINE	BEARING	LENGTH
L1	S 57°16'59" W	152.51'
L2	S 31°16'17" E	63.18'
L3	S 57°16'59" W	825.04'
L4	S 61°20'14" W	296.04'
L5	S 88°18'06" W	75.63'
L6	S 58°29'12" W	98.42'
L7	S 31°05'56" W	73.90'
L8	S 57°45'31" W	824.99'
L9	N 31°31'31" W	51.89'
L10	S 57°45'31" W	259.98'
L11	S 88°41'31" E	95.88'
L12	S 57°45'31" W	469.06'
L13	S 62°17'19" W	300.73'
L14	S 58°04'24" W	749.82'
L15	S 57°04'45" W	607.61'

NOTE:
BOUNDARY INFORMATION SHOWN HEREON IS
BASED ON 100/LS/17-18.



**LOT LINE ADJUSTMENT
MAP PRAL 13-0102**

IN THE CITY OF PASO ROBLES,
COUNTY OF SAN LUIS OBISPO,
STATE OF CALIFORNIA
BEING A LOT LINE ADJUSTMENT BETWEEN PORTIONS
OF SECTION 19, T26S, R13E MDB&M AND SECTION
24, T26S, R12E, MDB&M.

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

ENTRADA de PASO ROBLES
HIGHWAY 46 • PASO ROBLES, CALIFORNIA

Lot Line
Adjustment

B-1

Date: 11/22/13
File name: Discovery Gardens Consultant Exhibits 1.0.vwx

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
AUTHORIZING THE REMOVAL OF OAK TREES
FOR PD AMENDMENT 01-025,
CUP AMENDMENT 01-017, AND LLA PR 13-004
4380 STATE ROUTE 46 EAST, APNs 025-431-044, -045, -049
APPLICANT – KEN HUNTER
ENTRADA DE PASO ROBLES**

WHEREAS, Ken Hunter has submitted a request to remove approximately 175 oak trees; and

WHEREAS, the removal of the trees is in relation to an application for PD Amendment 01-0125, CUP Amendment 01-017, LLA PR 13-004, and an Addendum to a previously adopted Mitigated Negative Declaration for the Entrada de Paso Robles project, approved by the Planning Commission on May 13, 2014; and;

WHEREAS, with the approval of the Addendum to the Mitigated Negative Declaration (MND), PD Amendment 01-025, CUP Amendment 01-017, LLA PR 13-004, the Planning Commission recommended the removal of the 175 oak trees (which is approximately 9.3% of the total number of oak trees on the site) and is less than the overall amount of trees oak trees permitted for removal under the original entitlements which allowed for removal of up to 10% of the oak trees on the site; and

WHEREAS, regarding the oak trees proposed to be removed, the Director could not make the determination that the trees are “clearly dead or diseased beyond correction,” and therefore, Section 10.01.050.C of the Oak Tree Ordinance would consider the trees “healthy” and require that the City Council make the determination of whether the trees should be allowed to be removed after consideration of the factors listed in Section 10.01.050.D; and

WHEREAS, the City Council considered the factors listed in Section 10.01.050.D; and

WHEREAS, in conjunction with the entitlements noted above, Chip Tamagni of A & T Arborists submitted an Arborist Report analyzing all of the oak trees located within the development area that may be impacted by the project and require tree protection methods. Protection measures were identified for potentially impacted trees that would remain. The report also identified the health of the trees proposed for removal. The tree removals were rated in terms of their relative health on a scale of 1-10, with 10 being the best health. Only three of the trees were rated “5”, with the rest majority of trees rated “2” and “3”; and

WHEREAS, the project design would necessitate the need to remove healthy oak trees due to grading and construction of the Discovery Gardens, resort, ancillary buildings, driveways and parking lots; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby:

1. Authorize the removal of up to 10% of the existing oak trees (approximately 175 trees) based on the trees being in marginal health, minimal environmental and scenic impacts, and that the removals are necessary in order to accommodate the proposed project.
2. Require the planting of 413 inches diameter replacement oak trees to be planted on the site at the direction of the arborist to ensure maximum potential for the trees to flourish, and/or off site at a location at the direction of the Community Development Director. The specific size and number of replacement trees shall be determined by the project arborist provided that the replacement trees equal the required mitigation requirement.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 13th day of May, 2014 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk

MEMORANDUM

TO: Susan DeCarli
FROM: John Falkenstien
SUBJECT: Amended PD 01-025 Entrada
DATE: March 21, 2014

Traffic

The original Traffic Study for the project identified the need to improve the entrance to the project with left turn channelization to accommodate eastbound Highway 46E to driveway entrance and eastbound Highway 46E acceleration lane for driveway egress. These features have been constructed with the recent four-lane highway improvements.

The Traffic Study also identified the need to provide right turn channelization for west bound traffic entering the project. This work has not been accomplished.

Other improvements needed along the Highway 46E corridor are identified in the City's Parallel Route's Study, Caltrans 2008 Corridor Study, and the Circulation Element of the General Plan. The applicant contributes to these improvements through the Transportation Impact Fee program.

Water, Sewer and Recycled Water

Water is available to the project from a 16-inch water main in Airport Road and a 16-inch water main in Dry Creek Road.

A Master Plan of sanitary sewers is being developed for the area by a consultant under contract to the Wastewater Division Manager. It is likely that sanitary sewer will be provided from Dry Creek Road.

The resort includes 31 acres of golf and landscape areas. Discovery Gardens includes 47 acres of landscape and crop production. The potential for non-potable water use is potentially as high as 153 acre-feet per year. This volume warrants connection to the City's recycled water system when available. The location of the project is in the vicinity of other targeted users.

Recycled water is a key component of the City's long range strategy of water conservation and reduction of the City's reliance on the groundwater basin.

Storm Water Management and Low Impact Development

On July 12, 2013, the Regional Water Quality Control Board adopted storm water management requirements for development projects in the Central Coast region. Upon the Board's direction the City has adopted a Storm Water Ordinance requiring all projects to implement low impact development (LID) best management practices to mitigate impacts to the quality of storm water runoff and to limit the increase in the rate and volume of storm water to the maximum extent practical. LID is implemented by planning new development and designing its infrastructure such that pre-development hydrologic characteristics, flow patterns, surface retention, and groundwater recharge rates are maintained.

The applicant has prepared a storm water control plan offering a site assessment of constraints and opportunities and corresponding storm water management strategies in compliance with the new regulations. More specific information will be submitted through the construction permitting process.

Recommended Conditions

Prior to occupancy of Phase I, Discovery Gardens, Highway 46E shall be improved with right turn channelization for in-coming and exiting traffic consistent with the original traffic study and in accordance with plans approved by Caltrans.

Prior to any permits for site development, the property owner shall provide an irrevocable offer of dedication of public right-of-way to the City, 50 feet wide from the center line of Dry Creek Road along the frontage of the subject property.

The applicant shall provide two sources of water to the project with tie-ins at Airport Road and Dry Creek Road. Easements for maintenance of a connecting water main between the points will be provided to the City if requested.

The domestic portions of the project shall be served by City water. The gardens, crop production, golf and landscape areas shall be irrigated with recycled water provided by the City when available.

The applicant will participate in the cost of construction of sewer extensions to the property and will connect to sanitary sewer when available. The Discovery Gardens phase may operate on a septic system, with limited concessions, with the approval of the City Council. No hotel or related uses can be occupied without connection to sanitary sewer.

Low impact development best management practices as outlined in the project submittals shall be incorporated into the project grading plans and shall meet design criteria adopted by the Water Board on July 12, 2013.

The project will be subject to traffic impact and other development impact fees in effect at the time of occupancy of the project.

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION
PROJECT NOTICING

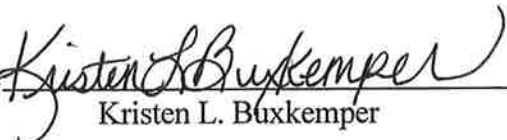
Newspaper: The Tribune

Date of Publication: 05/02/2014

Meeting Date: 05/13/2014
Planning Commission

Project: Planned Development 01-025,
Conditional Use Permit 01-017, Lot
Line Adjustment PR 13-0102 and
Oak Tree Removal 14-003 for
"Entrada de Paso Robles"

I, Kristen L. Buxkemper, employee of the
Community Development Department, Engineering
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: 
Kristen L. Buxkemper

CITY OF EL PASO DE ROBLES

NOTICE OF PUBLIC HEARING
PLANNED DEVELOPMENT
AMENDMENT (PD 01-025) CONDI-
TIONAL USE PERMIT AMENDMENT
(CUP 01-017) LOT LINE ADJUST-
MENT (PR 13-0102) AND A RECOM-
MENDATION TO THE CITY COUN-
CIL TO APPROVE AN OAK TREE
REMOVAL PERMIT (OTR 14-003)
"ENTRADA DE PASO ROBLES",
APNs: 025-431-044, -045, -049
LOCATION: 3830 STATE ROUTE 46
EAST APPLICANT: KEN HUNTER

NOTICE IS HEREBY GIVEN that the
Planning Commission of the City of El
Paso de Robles will hold a Public Hearing
on Tuesday, May 13, 2014 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 approval of
amendments to the above referenced enti-
tlements for the following project:

Development of a 200-room hotel, 80
casitas guest units, conference center
and ancillary uses, and an outdoor
garden-themed exhibition park attraction
- the "Discovery Gardens", a wine center,
and a 3-hole "golf academy".

The project is a revision of a previously-
approved and active project that included
the hotel and casitas units, conference
center and a 27-hole golf course. The
golf course is proposed to be eliminated
and replaced with a "garden-themed"
destination park attraction. The garden
park would have a reduced development
footprint and use less water than the golf
course.

An Addendum to the adopted (active) Mit-
igated Negative Declaration has been pre-
pared for this project. The Addendum
documents that the revised project will not
result in new or more severe significant
environmental impacts. The Mitigated
Negative Declaration and Addendum will
be posted on the City website by Friday,
May 2, 2014 at

[http://www.prcity.com/government/
departments/commdev/index.asp](http://www.prcity.com/government/departments/commdev/index.asp).

Written comments on the proposed
project may be mailed to the Community
Development Department, 1000 Spring
Street, Paso Robles, CA 93446 or emailed
to sdecarli@prcity.com, 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 Susan DeCarli at (805) 237-
3970 or email at sdecarli@prcity.com.

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.

/s/Susan DeCarli, AICP
City Planner
May 2, 2014

7048575



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

AFFIDAVIT

OF MAIL NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Kristen Buxkemper, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Planned Development 01-025, Conditional Use Permit Amendment 01-017, Lot Line Adjustment PR 13-0102, and Oak Tree Removal Permit 14-003 for Entrade de Paso Robles – Hotel, Conference Center and Destination Gardens, on this 2nd day of May, 2014.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Kristen Buxkemper