City of Paso Robles
Planning Commission Agenda Report

From: Darren Nash, Associate Planner

Subject: **Planned Development 16-002 and Conditional Use Permit 17-004**
Case Paso, LLC – Outdoor Storage Yard
2121 Ardmore Road / APN: 025-362-038
Applicant – Case Pacific, LLC
Request to grade an approximate 4.1-acre site to create a usable flat area for the establishment of an outdoor storage yard.

Date: June 13, 2017

Needs: For the Planning Commission to consider Planned Development 16-002 and Conditional Use Permit (CUP) 17-004 requesting to grade a 4.1 acre site to create a flat area to establish an outdoor storage yard.

Facts:

1. The Case Pacific site is located at 2121 Ardmore Road. See Vicinity Map, Attachment 1.

2. Case Paso, LLC owns the 7.7-acre site where the current Case Pacific construction company is located on the western 3.7 acre portion of the site. This request is to develop the easterly 4 acres into an outdoor storage yard. See Site Plan, Attachment 2.

3. The project consists of grading a 2.8 acre area to provide for an approximate 4.1-acre site to establish an outdoor storage yard. Along with the grading is a request for the construction of retaining walls ranging in height from 4 feet to 8 feet tall (not including a 6-8 foot tall fence on top of the wall). There are no structures proposed to be built with this project.

4. This site is zoned C3-PD, and since it has PD Overlay Zoning, a development plan is required. In addition to the PD requirement, Section 21.13 of the Zoning Code requires a CUP to be processed to ensure that commercial/light-industrial uses do not create noise, visual and/or land use impacts to neighboring land uses.

5. The PD overlay zoning along with the special conditions, gives the Planning Commission the opportunity to review land use proposals to insure that quality development is approved in this area of the City. Since this C3-PD area is in proximity to residential uses/zones, through the PD/CUP process, conditions can be added to improve the aesthetics of the project and to reduce impacts on neighboring residential uses.

6. The proposed retaining walls along with the fences proposed on top of the wall could range in size from 10 feet to 16-feet tall. These tall walls/fencing will be able to be seen from various surrounding areas, such looking south from Union

Road. The zoning code requires outdoor storage yards to be thoroughly screened with screening fencing and landscaping.

7. The DRC reviewed the project at their meeting on May 8, 2017. Stan Case and Tim Rueda presented the plans for the proposed storage lot. They indicated that there is no specific user for the yard, but want to develop the site for an outdoor storage yard and obtain the necessary Conditional Use Permit for future users. The type and materials of the proposed retaining walls and fences were discussed. Staff indicated that there are some minimum landscape setbacks required for screening of outdoor storage yards. No action was taken, this item will be reviewed at a future Planning Commission hearing.

8. Pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA, an Initial Study and Negative Declaration (ND) was prepared and circulated for public review and comment. Based on the information and analysis contained in the Initial Study (and comments and responses thereto), a determination has been made that the project may be approved with a Negative Declaration.

Analysis and Conclusion:

The PD Overlay zoning along with the requirement that all uses require a CUP, are zoning code requirements of this C3 zoning area, in order to insure quality projects and compatibility with surrounding uses, especially residential.

The Case Paso property does not adjoin any residentially zoned properties, so special landscape setbacks are not required, however, since the height of the proposed retaining walls along with the fences could range in height from 6 to 14 feet tall, staff suggests that landscape setbacks be required on the north and east property boundaries.

Staff suggests that a minimum 5-feet landscape setback be provided between the property line and the walls, with an additional 5-foot landscape setback from the top of the wall to the fence be provided. Breaking up the wall and fence with landscaping would seem to help meet the intent of the PD zoning and special conditions.

A condition of approval has been added to the PD/CUP requiring the 5-foot landscape setback between the wall and the property line and between the fence and the wall, along the northern and eastern property lines.

The subject property is located on Ardmore Road east of the Paso Robles Unified School District facilities. The current project plans indicate development of the eastern portion of the property. In accordance with the Municipal Code, Ardmore Road should be improved along the entire frontage of the property with any building permit. The applicant, as part of previous development, was allowed to construct half of the improvements along Ardmore Road. The remainder of the road improvements should now be constructed with this project. A condition of approval has been added to the project requiring the frontage improvements to be completed with the storage yard project.

In general, C3 zoned properties provide for commercial and light-industrial uses, which could include outdoor storage yards. The proposed use seems reasonable if quality walls, fencing and screening landscaping is provided.

Policy Reference: General Plan Land Use Element, Zoning Code, and 2006 Economic Strategy.

Fiscal Impact: There are no negative fiscal impacts to the City associated with approval of this Planned Development amendment.

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

a. 1. Adopt the attached Resolution A. approving a Mitigated Negative Declaration, (Attachment 4);

2. Adopt the attached Resolution B. approving Planned Development 16-002 and Conditional Use Permit (CUP) 17-004 allowing for the development of the 4.1 acre site to create a flat area to establish an outdoor storage yard, subject to standard and site specific conditions and encroachment permits (Attachment 5);

b. Amend the above-listed action.

c. Refer back to staff/DRC for additional analysis.

d. Make findings to deny applications.

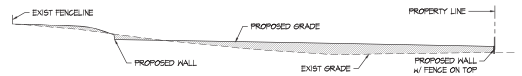
Attachments:

1. Vicinity Map
2. Site Plan
3. Draft Resolution – A: MND
4. Draft Resolution – B: PD/CUP
5. Mail and Newspaper Affidavits

Attachment 1

Case Pacific- Vicinity Map

Attachment 2

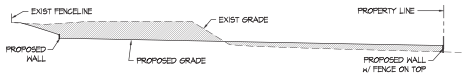


Section A

SCALE: 1" = 40'-0"

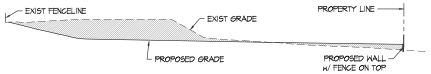
Section B

SCALE: 1" = 40'-0"



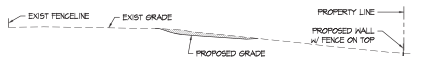
Section C

SCALE: 1" = 40'-0"



Section D

SCALE: 1" = 40'-0"



Section E

SCALE: 1" = 40'-0"

NOTES

APPROX AREA OF PROPOSED PAD (@ 2% SLOPE):
124,100 SF (2.85 ACRES)

ESTIMATED EARTHWORK VOLUMES:
FILL = 14,080 CY
CUT = 14,850 CY

ABBREVIATION LEGEND:

AC	ASPHALT CONCRETE
DS	DOWNSPOUT
E	EXISTING
EG	EXISTING GRADE
FF	FINISH FLOOR
FG	FINISH GRADE
FL	FLOWLINE
FS	FINISH SURFACE
GB	GRADE BREAK
HP	HIGH POINT
INV	INVERT
RD	ROOF DOWNSPOUT
TC	TOP OF CURB
TG	TOP OF GRATE
TYP	TYPICAL

NOTES

1. The topography shown hereon is based on a planimetric survey prepared for the site by Twin Cities Surveying, Inc., July 2015.
2. Verify all building dimensions prior to construction. Notify engineer immediately of any discrepancies.
3. Compact all fill materials to 90% maximum density.
4. The outdoor storage area shall be thoroughly screened from public view and adjacent properties by a combination of walls, fences and landscaping.

Preliminary Grading & Drainage Plan

SCALE: 1" = 40'-0"

REVISIONS

NO.	DATE:

Conditional Use Permit
for
2121 Ardmore Road, Paso Robles, CA 93446

Preliminary Grading & Drainage Plan

MATRIX CONSULTING ENGINEERS
1170 PACIFIC STREET
SAN LUIS OBISPO, CA 93401
PH. 805.786.4802

DATE: 16 March 2017
DRAWN BY: KEV
CHECKED BY: KTD
PROJECT NO.: 2014-36

SHEET NO.
CUP2
OF 3

Attachment 3
Draft Resolution A

DRAFT RESOLUTION PC 17-xxx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PASO ROBLES ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE CASE PASO, LLC (PLANNED DEVELOMENT 16-002, AND CONDITIONAL USE PERMIT 17-004) 2121 ARDOMORE ROAD, APN: 025-362-038 APPLICANT – CASE PASO, LLC

WHEREAS, Case Paso LLC has submitted applications for Planned Development 16-002 and Conditional Use Permit (CUP) 17-004, requesting to grade a portion of a lager parcel to create a 4.1-acre outdoor storage yard; and

WHEREAS, the project is located at 2121 Ardmore Road; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), Public Resources Code, Section 21000, et seq., and the City's Procedures for Implementing CEQA, an Initial Study and a Draft Mitigated Negative Declaration (MND) was prepared and circulated for a 20-day public review period beginning on May 24, 2017 through June 13, 2017. No public comments were received on the MND prior to the Planning Commission meeting, a copy of the Draft MND/Initial Study is included in Exhibit A (Attachment 4 of the project staff report) of this Resolution, and it is on file at the Paso Robles Community Development Department; and

WHEREAS, mitigation measures have been incorporated into the MND and will be imposed on the project through the City's adoption of a Mitigation Monitoring and Reporting Program (MMRP) in compliance with CEQA Guideline 15074(d). These mitigation measures are imposed on the project to address potential environmental effects from: cultural resources. With the implementation of this mitigation, all potential environmental effects will be reduced to a less than significant level. These mitigation measures are provided in Exhibit B, "Mitigation Monitoring and Reporting Program" attached to this Resolution; and

WHEREAS, mitigation measures set forth in the MMRP are specific and enforceable. The MMRP adequately describes implementation procedures, monitoring responsibility, reporting actions, compliance schedule, and verification of compliance in order to ensure that the Project complies with the adopted mitigation measures; and

WHEREAS, the mitigation measures contained in the MMRP will also be imposed as enforceable conditions of approval; and

WHEREAS, the applicant has executed a Mitigation Agreement whereby the applicant has agreed to incorporate all of the mitigation measures listed in Exhibit B into the project. A copy of the executed Mitigation Agreement is on file in the Community Development Department; and

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

Attachment 3
Draft Resolution A

WHEREAS, a public hearing was conducted by the Planning Commission on June 13, 2017 to consider the Initial Study and the draft MND prepared for the proposed project, and to accept public testimony on the Planned Development, Conditional Use Permit, and environmental determination, at the close of this public hearing, the Planning Commission adopted the MND and approved the proposed project; and

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

WHEREAS, pursuant to CEQA the Planning Commission has independently reviewed the Initial Study, the Mitigated Negative Declaration, and all comments received regarding the Mitigated Negative Declaration, and based on the whole record before it finds that the Mitigated Negative Declaration was prepared in compliance with CEQA and the CEQA Guidelines, that there is no substantial evidence that the Project will have a significant effect on the environment with the incorporation of mitigation, and the Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission of the City of El Paso de Robles, based on its independent judgment and analysis, adopts the Mitigated Negative Declaration (Exhibit A) for the Case Paso project and adopts a Mitigation Monitoring and Reporting Program (Attachment 1 to Exhibit A), and imposes each mitigation measure as a condition of approval, 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 June, 2017, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
JOHN DONALDSON, CHAIRPERSON

ATTEST:

_____
WARREN FRACE, SECRETARY OF THE PLANNING COMMISSION

Exhibits:

A. Exhibit A – Mitigated Negative Declaration / Initial Study (refer to Attachment 4 of the Planning Commission staff report) and Mitigation Monitoring and Reporting Program

ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM
CITY OF PASO ROBLES
CASE PACIFIC OUTDOOR STORAGE YARD

1. **PROJECT TITLE:** **Conditional Use Permit (CUP) 17-004 and Planned Development PD 16-002**

   Concurrent Entitlements:

2. **LEAD AGENCY:** City of Paso Robles
   1000 Spring Street
   Paso Robles, CA 93446
   Contact: Darren Nash, Associate Planner
   Phone: (805) 237-3970

3. **PROJECT LOCATION:** 2121 Ardmore Road, Paso Robles, CA (APN: 025-362-008)

4. **PROJECT PROPONENT:** Case Paso, LLC

   Contact Person: Stan Case

   Phone: (805) 237-2475
   Email: stancase2@gmail.com

5. **GENERAL PLAN DESIGNATION:** CS (Commercial Service)

6. **ZONING:** C3-PD (Commercial- Light Industrial, Planned Development Overlay)

7. **PROJECT DESCRIPTION:** Request to grade an approximate 2.8 acre area to provide for an approximate 4.1-acre site to establish an outdoor storage yard. Along with the grading is a request for the construction of retaining walls ranging in height from 4 feet to 8 feet tall (not including a 6-8 foot tall fence on top of the wall). There are no structures proposed to be built with this project.

8. **ENVIRONMENTAL SETTING:** Case Paso, LLC currently has an office building, shop building and outdoor equipment storage on the western side of the 3.5 acre site. The proposed grading would be on the eastern side, incorporate a 4.1 acre area, and allow for outdoor storage uses separate from the existing Case Pacific business.

   There would be approximately 14,000 cubic yards of cut and fill evened out over the site. There is one oak tree located at the front of the site near the road, where know grading is proposed within the Critical Root Zone (CRZ).

   A Biological Study has been provided that addresses a drainage swale that runs north and south through the site.

9. **OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED)**: Air Pollution Control District.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

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

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

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

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

Signature: _____ Date _____

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 projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

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. "Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" 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 "Earlier Analyses," as described in (5) below, 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). In this case, a brief discussion should identify the following:

    a. Earlier Analysis Used. Identify and state where they are available for review.
    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
    c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. The explanation of each issue should identify:
    a. the significance criteria or threshold, if any, used to evaluate each question; and
    b. the mitigation measure identified, if any, to reduce the impact to less than significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒

Discussion: The site is located in an area where there is existing large acreage residential uses in an area of the City that is zoned for commercial and light-industrial uses (C3). There is existing adjacent industrial uses such as the Case Pacific construction office and outdoor storage yard. The Paso Robles School District bus maintenance yard is adjacent to the site to the west. The other surrounding properties consist of existing residential on C3 zoned land. The project site is not located on a scenic vista and does not include scenic resources, therefore there is no impact.

b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒

Discussion: The project site does not include scenic resources, therefore there is no impact. There is an oak tree located on site that will be protected and preserved.

c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐

Discussion: This site is zoned C3-PD, and since it has PD Overlay Zoning, a development plan is required. In addition to the PD requirement, Section 21.13 of the Zoning Code requires a conditional use permit to be processed. The overlay zoning along with the special conditions, is required to give the Planning Commission the opportunity to review land use proposals to insure quality development is approved in this area of the City. Since this C3-PD area is in proximity to residential uses/zones, through the PD/CUP process, conditions can be added to improve the aesthetics of the project and to reduce impacts on neighboring residential uses.

The proposed retaining walls along with the fence proposed on top of the wall could range in size from 10 feet to 16-feet tall. These tall walls/fencing will be able to be seen from various surrounding areas, such looking south from Union Road. The zoning code requires outdoor storage yards to be thoroughly screened with screening fencing and landscaping.

With conditions for screened fencing and landscaping required as a result of the PD/CUP the outdoor storage area will be screened. This projects impacts on visual character will be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources: 1, 2, 10)	☐	☐	☒	☐

Discussion:
Standard conditions require that all new lighting be adequately shielded. A condition of approval requires Staff to review light fixtures for proper shielding prior to the issuance of a building permit.

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒

Discussion: The project site is designated in the General Plan and is zoned on the City's Zoning Map for commercial development. The property is not identified in the City General Plan, Conservation Element (Figure OS-1, Important Farmland) as having either prime or unique farmland of statewide importance. Therefore, the project would not result in impacts on converting prime or other significant soils to urban land uses.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒

Discussion: The site is not under Williamson Act contract, nor is it currently used for agricultural purposes.

c. Conflict with existing zoning for, or cause rezoning of, forest, land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 5114(g))?	☐	☐	☐	☒

Discussion: There are no forest land or timberland resources within the City of Paso Robles.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
Discussion: See II c. above.				
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Discussion: No farmland is located within the near vicinity of the project site. Properties to northeast, northwest, west, and south of the property are zoned commercial. The properties that surround the subject site are also zoned C3 and are intended to be developed with commercial and light-industrial uses. Grading of the site for future development would not have a significant impact to agricultural or forestry resources.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan? (Source: Attachment 5)	☐	☐	☒	☐
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 11)	☐	☐	☒	☐
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: Attachment 4)	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Expose sensitive receptors to substantial pollutant concentrations? (Source: Attachment 4)	☐	☐	☒	☐

Discussion (a-d):

The San Luis Obispo County area is a non-attainment area for the State standards for ozone and suspended particulate matter. The SLO County Air Pollution Control District (APCD) administers a permit system to ensure that stationary sources do not collectively create emissions which 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 earth work 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 onsite activity being developed.

There will be short term impacts associated with grading for the proposed construction, standard conditions required by the City as well as the APCD will be implemented.

When reviewing the grading of the 4-acre site, since the disturbed area of grading activity is 2.85 acres, it falls under the 4-acre threshold described in footnote 2 of Table 2-1 of the APCD CEQA Handbook (April 2012), indicating that the pollutants produced as a result of construction activities is less than the 2.5 ton PM 10 quarterly threshold. Therefore impacts to air quality as a result of this grading project, are considered less than significant and no mitigation is required. Standard conditions related to dust control will be required with the issuance of a grading permit for this project.

e. Create objectionable odors affecting a substantial number of people? (Source: 11)	☐	☐	☐	☒

Discussion: It is not anticipated that there will be any objection odors as a result of the grading project.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

IV. BIOLOGICAL RESOURCES: Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐

A Biological Report was prepared by Althouse and Meade Biological and Environmental Services, dated August 29, 2016 (See Attachment 4). The survey studied an approximate 5.3 acre study area for biological resources. The Biological Study concludes that mitigation is necessary to minimize potential impacts to special status plant and wildlife species during grading activities. The study provides a list of Best Management Practices to reduce potential impacts to Shining Navarettia, Burrowing Owl, American Badger, Nesting Birds, and San Joaquin Kit Fox.

The mitigation measures are listed in the Mitigation Monitoring and Reporting Table, Attachment 1 to this Initial Study. With the incorporation of the mitigation measures this projects impacts on Biological Resources will be less than significant.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☒	☐

The Biological Study concludes that mitigation is necessary for a small 175 square foot wetland area, but does not indicate that the site contains riparian habitat or sensitive natural community. See mitigation required in Section C. below for the wetland. This projects impacts on riparian and sensitive habitats are less than significant.

c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Identified in the Biological Report was the presence of a wetland area within the vegetated drainage swale that transverses the approximately 550 linear feet across the project site. The wetland area is approximately 175 square feet feature under the jurisdiction of the Regional Water Quality Control Board (RWQCB) as a Water of the State of California. The applicants will need to file the necessary documentation with the RWQCB in the form of a General Waste Discharge Requirements (WDR), prior to the issuance of a grading permit.

The mitigation measures are listed in the Mitigation Monitoring and Reporting Table, Attachment 1 to this Initial Study. With the incorporation of the mitigation measures this projects impacts on Biological Resources will be less than significant.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐

The project site is located within an area that is considered an important migration area for the San Jouquin Kit Fox. The area is within an established 3:1 mitigation area recognized by the County and the California Department of Fish and Wildlife. The Biological Report indicates that a 4.1 acre area will be disturbed for the storage yard project. The disturbed area will permanently remove kit fox habitat area and is required to be mitigated at a 3:1 mitigation ratio.

The mitigation measures are listed in the Mitigation Monitoring and Reporting Table, Attachment 1 to this Initial Study. With the incorporation of the mitigation measures this projects impacts on Kit Fox habitat, will be less than significant.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐

There is a large oak tree located at the front of the property near Ardmore Road. The project has been designed so that there is no grading activity within the oak tree critical root zone, therefore, impacts to oaks are less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

(Source:)

Discussion (a-f):

A Biological Report was prepared by Althouse and Meade Biological and Environmental Services, dated August 29, 2016 (See Attachment 3). The survey studied an approximate 5.3 acre study area for biological resources. The Biological Study concludes that mitigation is necessary to minimize potential impacts to special status plant and wildlife species during grading activities. The study provides a list of Best Management Practices to reduce potential impacts to Shining Navarettia, Burrowing Owl, American Badger, Nesting Birds, and San Joaquin Kit Fox.

The mitigation measures are listed in the Mitigation Monitoring and Reporting Table, Attachment 1 to this Initial Study. With the incorporation of the mitigation measures this projects impacts on Biological Resources will be less than significant.

V. CULTURAL RESOURCES: Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Discussion (a-d): The project site is located in an area that is not adjacent to a creek or stream, or in an area that typically considered culturally significant. A condition will be added to the project that would require that an archeological monitor be on site if cultural resources are found during grading activities.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

VI. GEOLOGY AND SOILS: Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (Sources: 1, 2, & 3) ☐ ☐ ☐ ☒

Discussion: 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.

ii. Strong seismic ground shaking? (Sources: 1, 2, & 3) ☐ ☐ ☒ ☐

Discussion: The proposed project will be constructed to current CBC codes. The General Plan EIR identified impacts resulting from ground shaking as less than significant and provided mitigation measures that will be incorporated into the design of this project including adequate structural design and not constructing over active or potentially active faults. Therefore, impacts that may result from seismic ground shaking are considered less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iii. Seismic-related ground failure, including liquefaction? (Sources: 1, 2 & 3)	☐	☐	☒	☐

Discussion: Per the General Plan EIR, the project site is located in an area with soil conditions that have a low potential for liquefaction or other type of ground failure due to seismic events and soil conditions. To implement the EIR's mitigation measures to reduce this potential impact, the City has a standard condition to require submittal of soils and geotechnical reports, which include site-specific analysis of liquefaction potential for all building permits for new construction, and incorporation of the recommendations of said reports into the design of the project.

iv. Landslides?	☐	☐	☒	☐

Discussion: Per the General Plan Safety Element, the project site is in an area that is designated a low-risk area for landslides. Therefore, potential impacts due to landslides is less than significant.

b. Result in substantial soil erosion or the loss of topsoil? (Sources: 1, 2, & 3)	☐	☐	☐	☒

Discussion: Per the General Plan EIR the soil condition is not erosive or otherwise unstable. As such, no significant impacts are anticipated. A geotechnical/ soils analysis will be required prior to issuance of grading permit that will evaluate the site specific soil stability and suitability of grading and retaining walls proposed. This study will determine the necessary grading techniques that will ensure that potential impacts due to soil stability will not occur. An erosion control plan shall be required to be approved by the City Engineer prior to commencement of site grading.

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒

Discussion: See response to item a.iii, above.

d. Be located on expansive soil, as defined in Table 18-1-B of the California Building Code, creating substantial risks to life or property?	☐	☐	☐	☒

Discussion: See response to item a.iii, above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

Discussion (a-d): The development will be connected to the City's municipal wastewater system, therefore there would not be impacts related use of septic tanks.

VII. GREENHOUSE GAS EMISSIONS: Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gasses?	☐	☐	☒	☐

Discussion (a-b):

When reviewing the grading of the 4-acre site with the APCD CEQA Handbook (April 2012), the project would produce less than the 25 lbs/day of ROG+NOx and therefore be considered less than significant and no mitigation is required for operational or long-term impacts based on outdoor storage land use. Standard conditions related to dust control will be required with the issuance of a grading permit for this project.

VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒

Discussion: The grading project and operation of equipment storage on the site will not include hazardous materials.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒

Discussion: The grading project and operation of equipment storage on the site will not include hazardous materials.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒

Discussion: The grading project and operation of equipment storage on the site will not include hazardous materials.

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒

Discussion: The undeveloped site is not anticipated to contain hazardous waste materials on site.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒

Discussion: (e. & f.) The project site is not located within an airport safety zone.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

Discussion: The project will not impair or interfere with adopted emergency response routes or plans.

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

Discussion: The project is not in the vicinity of wildland fire hazard areas.

IX. HYDROLOGY AND WATER QUALITY: Would the project:

a. Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒

Discussion: The project is proposed to be an outdoor storage yard. The ground surfacing will be an all-weather type material such as Class II base, or decomposed granite, which will remain permeable. This project is not anticipated to violate water quality or discharge requirements.

b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., Would the production rate of pre-existing nearby wells drop to a level which would not support existing land uses or planned uses for which permits have been granted)? Would decreased rainfall infiltration or groundwater recharge reduce stream baseflow? (Source: 7)	☐	☐	☐	☒

Discussion: The project consists of grading 2.85 area to establish a 4-acre area to provide for an outdoor storage lot. No structures are proposed with this outdoor storage request. There will be no impact to this environmental factor.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 10)	☐	☐	☒	☐

Discussion: As noted in the Biological section of this Initial Study, the grading project will impact an existing drainage swale that transverses the site. Mitigation was identified related to a wetland situation, however the swale is not identified as a stream or river. The project will not produce substantial erosion or siltation on or off site.

d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 10)	☐	☐	☒	☐

Discussion: See IX c. above. Drainage resulting from development of this property will be maintained onsite and will not contribute to flooding on- or off-site. Thus, flooding impacts from the project are considered less than significant.

e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 10)	☐	☐	☒	☐

Discussion: As noted in IX a. above, surface drainage will be managed onsite and will not add to offsite drainage facilities. Additionally, onsite LID drainage facilities will be designed to clean pollutants before they enter the groundwater basin. Therefore, drainage impacts that may result from this project would be less than significant.

f. Otherwise substantially degrade water quality?	☐	☐	☒	☐

Discussion: See answers IX a. – e. This project will result in less than significant impacts to water quality.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒

Discussion: There is no housing associated with this project nor is there any housing in the near vicinity downstream from the site and the site is not within or near a flood hazard area. Therefore this project could not result in flood related impacts to housing.

h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒

Discussion: See IX h. above.

i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒

Discussion: See IX h. above. Additionally, there are no levees or dams in the City.

j. Inundation by mudflow?	☐	☐	☐	☒

Discussion: In accordance with the Paso Robles General Plan, there is no mudflow hazards located on or near the project site. Therefore, the project could not result in mudflow inundation impacts.

k. Conflict with any Best Management Practices found within the City's Storm Water Management Plan?	☐	☐	☐	☒

Discussion: The project will implement the City's Storm Water Management Plan - Best Management Practices, and would therefore not conflict with these measures.

l. Substantially decrease or degrade watershed storage of runoff, wetlands, riparian areas, aquatic habitat, or associated buffer zones?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Discussion: The project will incorporate all feasible means to manage water runoff on the project site. There is no wetland or riparian areas in the near vicinity, and the project could not result in impacts to aquatic habitat. Therefore, the project will not result in significant impacts to these resources.

X. LAND USE AND PLANNING: Would the project:

a. Physically divide an established community?	☐	☐	☐	☒

Discussion: The project consists of grading a 2.8 acre area to establish a 4-acre area to provide for an outdoor storage lot. No structures are proposed with this outdoor storage request. There will be no impact to this environmental factor.

b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Discussion: The property is zoned C-3 (Commercial – Light Industrial). The C3 zoning district allows outdoor storage of vehicles and equipment as the primary use with the approval of a Conditional Use Permit (CUP). A CUP is being processed as part of this project which will establish conditions of approval for the use, therefore there impacts on land use and zoning is less than significant.

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Discussion (c): There are no conservation plans associated with this property.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

XI. MINERAL RESOURCES: Would the project:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1) ☐ ☐ ☐ ☒

Discussion: There are no known mineral resources at this project site.

b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1) ☐ ☐ ☐ ☒

Discussion: There are no known mineral resources at this project site.

XII. NOISE: Would the project result in:

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1) ☐ ☐ ☒ ☐

Discussion: The project consists of grading an approximate 4-acre area to provide for an outdoor storage lot. No structures are proposed with this outdoor storage request. There will be no impact to this environmental factor.

b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? ☐ ☐ ☒ ☐

Discussion: The project may result in short term construction noise and vibration from machinery, however, the construction noise is not anticipated to be excessive nor operate in evening hours. Therefore, impacts from groundborne vibration noise would be considered less than significant.

c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? ☐ ☐ ☒ ☐

Discussion: See discussion on Section a. above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐

Discussion: See discussion on Section a. above.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1, 4)	☐	☐	☐	☒

Discussion : The project is not located within the geographic boundaries of the Airport Land Use Plan, therefore there is no impact.

XIII. POPULATION AND HOUSING: Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1)	☐	☐	☐	☒
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion (a-c): The project site is currently undeveloped, vacant land and jobs created can be absorbed by the local and regional employment market, and will not create the demand for new housing or population growth or displace housing or people.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a. Fire protection? (Sources: 1,10)	☐	☐	☒	☐
b. Police protection? (Sources: 1,10)	☐	☐	☐	☒
c. Schools?	☐	☐	☐	☒
d. Parks?	☐	☐	☐	☒
e. Other public facilities? (Sources: 1,10)	☐	☐	☐	☒
Discussion (a-e): The proposed project will not result in a significant demand for additional new services since it is not proposing to include new neighborhoods or a significantly large scale development, and the incremental impacts to services can be mitigated through payment of development impact fees. Therefore, impacts that may result from this project on public services are considered less than significant.				
XV. RECREATION				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Discussion (a&b):

The proposed outdoor storage project that will not encourage new housing demands and use of recreational facilities, it will not result in impacts to recreational facilities.

XVI. TRANSPORTATION/TRAFFIC: Would the project:

a. Conflict with an applicable plan, ordinance or policy establishing measures or effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐

Discussion (a&b): Based on the project being consistent with the C3 and CS zoning and land use designations, and based on outdoor storage of equipment and vehicles not being considered high traffic generators, the project impacts to traffic and circulation will be less than significant.

As required by all development projects with the approval of a building permit, the applicant shall be required to pay transportation impact fees established by City Council in affect at the time of occupancy to mitigate future impacts with planned improvements by the City.

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒

Discussion: The project is not located within the geographic boundaries of the Airport Land Use Plan, therefore there is no impact.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒

Discussion: There are no hazardous design features associated with, planned for or will result from this project.

e. Result in inadequate emergency access?	☐	☐	☐	☒

Discussion: The project will not impede emergency access, and is designed in compliance with all emergency access safety features and to City emergency access standards.

f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

Discussion: The project will comply with any policies related to road improvements on Ardmore Road, including any required curb, gutter, sidewalk and bike lanes as required for this road.

XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒

Discussion: The project will comply with all applicable wastewater treatment requirements required by the City, RWQCB and the State. Therefore, there will be no impacts resulting from wastewater treatment from this project.

b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒

Discussion: Per the City's General Plan EIR, Urban Water Management Plan, and Sewer System Management Plan, the City's water and wastewater treatment facilities are adequately sized, including planned facility upgrades, to provide water needed for this project and treat effluent resulting from this project. Therefore, this project will not result in the need to construct new

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
facilities.				
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒

Discussion: All new stormwater resulting from this project will be managed on the project site, and will not enter existing storm water drainage facilities or require expansion of new drainage facilities. Therefore, the project will not impact the City's storm water drainage facilities.

d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒

Discussion: The outdoor storage yard project is permitted with a CUP, in the current land use and zoning designations; therefore the project can be served with existing water resource entitlements available and will not require expansion of new water resource entitlements.

e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?	☐	☐	☐	☒

Discussion: Per the City's SSMP The City's wastewater treatment facility has adequate capacity to serve this project as well as existing commitments.

f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒

Discussion: Per the City's Landfill Master Plan, the City's landfill has adequate capacity to accommodate construction related and operational solid waste disposal for this project.

g. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

Discussion: The project will comply with all federal, state, and local solid waste regulations.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

XVIII. 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?	☐	☐	☒	☐

Discussion: As noted within this environmental document, in the Biological Resources section, there are mitigation measures related to habitat and species that will reduce the impacts on biological resources to less than significant.

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒

Discussion: The project will not have impacts that are individually limited, but cumulatively considerable.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Discussion: The project will not cause substantial adverse effects on human beings, either directly or indirectly.

EARLIER ANALYSIS AND BACKGROUND MATERIALS.

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

Earlier Documents Prepared and Utilized in this Analysis and Background / Explanatory Materials

Reference #	Document Title	Available for Review at:
1	City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446
2	City of Paso Robles Zoning Code	Same as above
3	City of Paso Robles Environmental Impact Report for General Plan Update	Same as above
4	2005 Airport Land Use Plan	Same as above
5	City of Paso Robles Municipal Code	Same as above
6	City of Paso Robles Water Master Plan	Same as above
7	City of Paso Robles Urban Water Management Plan 2005	Same as above
8	City of Paso Robles Sewer Master Plan	Same as above
9	City of Paso Robles Housing Element	Same as above
10	City of Paso Robles Standard Conditions of Approval for New Development	Same as above
11	San Luis Obispo County Air Pollution Control District Guidelines for Impact Thresholds	APCD 3433 Roberto Court San Luis Obispo, CA 93401
12	San Luis Obispo County – Land Use Element	San Luis Obispo County Department of Planning County Government Center San Luis Obispo, CA 93408
13	USDA, Soils Conservation Service, Soil Survey of San Luis Obispo County, Paso Robles Area, 1983	Soil Conservation Offices Paso Robles, Ca 93446

Attachments:

1. **Mitigation Monitoring and Reporting**
2. **Vicinity Map**
3. **Site Plan**
4. **Biological Study**

Attachment 1

Mitigation Monitoring and Reporting Plan – Case Pacific Storage Yard

Project File No./Name: Case Pacific Outdoor Storage Yard
Approving Resolution No.:____ by: ☒ Planning Commission ☐ City Council Date: May 22, 2017

The following environmental mitigation measures were either incorporated into the approved plans or were incorporated into the conditions of approval. Each and every mitigation measure listed below has been found by the approving body indicated above to lessen the level of environmental impact of the project to a level of non-significance. A completed and signed checklist for each mitigation measure indicates that it has been completed.

Explanation of Headings:

Type: ..... Project, ongoing, cumulative
Monitoring Department or Agency: ..... Department or Agency responsible for monitoring a particular mitigation measure
Shown on Plans: ..... When a mitigation measure is shown on the plans, this column will be initialed and dated.
Verified Implementation: ..... When a mitigation measure has been implemented, this column will be initialed and dated.
Remarks: ..... Area for describing status of ongoing mitigation measure, or for other information.

Mitigation Measure PD 16-002, CUP 17-004 (Case Pacific Storage Yard)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
BR-1. Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of Paso Robles, Community Development Department (see contact information below) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented: a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 12.3 acres (4.1 acres disturbed area multiplied by 3 as a result of an applied 3:1 mitigation ratio) of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Wildlife and the City. This mitigation alternative (a.) requires that all	Project	CDD		Notes shown on construction documents.	Prior to site disturbance, grading permit issued

Mitigation Measure PD 16-002, CUP 17-004 (Case Pacific Storage Yard)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
aspects if this program must be in place before City permit issuance or initiation of any ground disturbing activities. b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Mitigation alternative (b) above can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the CDFW and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy," would total: $30,750 (12.3 multiplied by $2,500) This fee is calculated based on the current cost-per-unit of $2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the CDFW provides written notification about your mitigation options but prior to City permit issuance and initiation of any ground disturbing activities. c. Purchase credits in a CDFW-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Mitigation alternative (c) above can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the					

Mitigation Measure PD 16-002, CUP 17-004 (Case Pacific Storage Yard)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total: $30,750 (12.3 multiplied by $2,500) This fee is calculated based on the current cost-per-credit of $2,500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to City permit issuance and initiation of any ground disturbing activities.					
BR-2. Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities: i. Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre-activity (i.e. preconstruction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits. ii. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason. When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City. iii. Prior to or during project activities, if any observations are	Project	CDD			Prior to site disturbance, grading permit issued

Mitigation Measure PD 16-002, CUP 17-004 (Case Pacific Storage Yard)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFW for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work. If incidental take of kit fox during project activities is possible, **before project activities commence,** the applicant must consult with the USFWS. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities. iv. In addition, the qualified biologist shall implement the following measures: 1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances: ▪ Potential kit fox den: 50 feet ▪ Known or active kit fox den: 100 feet ▪ Kit fox pupping den: 150 feet					

Mitigation Measure PD 16-002, CUP 17-004 (Case Pacific Storage Yard)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed. 3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring by a qualified biologist shall be required during ground disturbing activities.					
BR-3. Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate the following as a note on the project plans: "Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.	Project	CDD			Prior to site disturbance, grading permit issued
BR-4. During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the City, during which additional kit fox mitigation measures may be required.	On-going	Certified Arborist CDD		Shown on construction documents	Prior to site disturbance, grading permit issued
BR-5. Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training	On-going	Certified Arborist CDD		Shown on construction documents	Prior to site disturbance, grading permit issued

Mitigation Measure PD 16-002, CUP 17-004 (Case Pacific Storage Yard)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.					
BR-6. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.	Project	Certified Arborist CDD			During Construction
BR-7. During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped.	Project	CDD			Prior to issuance of grading permit.
BR-8. During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items	On-going	CDD			.

Mitigation Measure PD 16-002, CUP 17-004 (Case Pacific Storage Yard)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.					
BR-9. Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.	On-going	CDD			Prior to issuance of a grading permit.
BR-10. During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFW by telephone. In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to CDFW for care, analysis, or disposition.	On-going	CDD			On Going during construction.
BR-11. Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage: i. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches. ii. If a more solid wire mesh fence is used, 8 by 12 inch openings near the ground shall be provided every 100 yards	On-going	CDD			Prior to issuance of a grading permit.

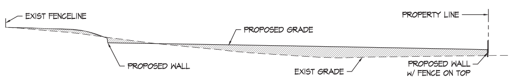
Mitigation Measure PD 16-002, CUP 17-004 (Case Pacific Storage Yard)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
iii. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.					
BR-12 Wetland Habitat. Impacts to the 175-square foot wetland feature are under the jurisdiction of the Regional Water Quality Control Board (RWQCB) as a Water of the State of California. The project proponent shall submit a Notice of Intent to enroll under the General Waste Discharge Requirements (WDR) for Non-Federal Jurisdictional Waters (Order No. 2004-0004-DWQ) for permanent impacts to the wetland feature. As part of the WDR, the project proponent will propose compensatory mitigation for permanent impacts to the wetland, as outlined in the Mitigation Plan section of the WDR notice.	Project	RWQCB/City			Prior to issuance of a grading permit.

(add additional measures as necessary)

Explanation of Headings:

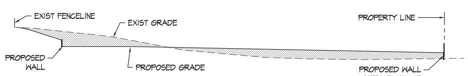
Type: ..... Project, ongoing, cumulative
Monitoring Department or Agency: ..... Department or Agency responsible for monitoring a particular mitigation measure
Shown on Plans: ..... When a mitigation measure is shown on the plans, this column will be initialed and dated.
Verified Implementation: ..... When a mitigation measure has been implemented, this column will be initialed and dated.
Remarks: ..... Area for describing status of ongoing mitigation measure, or for other information.

Case Pacific- Vicinity Map



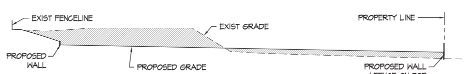
Section A

SCALE: 1" = 40'-0"



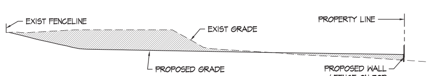
Section B

SCALE: 1" = 40'-0"



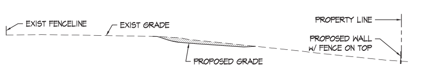
Section C

SCALE: 1" = 40'-0"



Section D

SCALE: 1" = 40'-0"



Section E

SCALE: 1" = 40'-0"

NOTES

APPROX AREA OF PROPOSED PAD (@ 2% SLOPE): 124,100 SF (2.85 ACRES)

ESTIMATED EARTHWORK VOLUMES:
FILL = 14,080 CY
CUT = 14,850 CY

ABBREVIATION LEGEND:

AC	ASPHALT CONCRETE
DS	DOWNSPOUT
E	EXISTING
EG	EXISTING GRADE
FF	FINISH FLOOR
FG	FINISH GRADE
FL	FLOWLINE
FS	FINISH SURFACE
GB	GRADE BREAK
HP	HIGH POINT
INV	INVERT
RD	ROOF DOWNSPOUT
TC	TOP OF CURB
TG	TOP OF GRATE
TYP	TYPICAL

NOTES

1. The topography shown hereon is based on a planimetric survey prepared for the site by Twin Cities Surveying, Inc., July 2015.
2. Verify all building dimensions prior to construction. Notify engineer immediately of any discrepancies.
3. Compact all fill materials to 90% maximum density.
4. The outdoor storage area shall be thoroughly screened from public view and adjacent properties by a combination of walls, fences and landscaping.

Preliminary Grading & Drainage Plan

SCALE: 1" = 40'-0"

REVISIONS

NO.	DATE:

Conditional Use Permit
for
2121 Ardmore Road, Paso Robles, CA 93446

Preliminary Grading & Drainage Plan

MATRIX CONSULTING ENGINEERS
1170 PACIFIC STREET
SAN LUIS OBISPO, CA 93401
PH. 805.786.4802

DATE:	16 March 2017
DRAWN BY:	KEV
CHECKED BY:	KTD
PROJECT NO.:	2014-36

SHEET NO.
CUP2
OF 3

ALTHOUSE AND MEADE, INC.
BIOLOGICAL AND ENVIRONMENTAL SERVICES

1602 Spring Street, Paso Robles, CA 93446
(805) 237-9626 • Fax (805) 237-9181 • www.althouseandmeade.com
Patrick J. Mock, PhD • Cell: (619) 665-3218 • pat@alt-me.com

August 29, 2016
Project 930.01

Mr. Stan Case
Case Paso, LLC
258 Silver Oak Drive
Paso Robles, CA 93446-7199

Subject: Biological Letter Report for Case Paso, Paso Robles - APN 025-362-008

Dear Mr. Case:

This letter report provides the results of a biological survey on an approximately 4-acre Study Area located in Paso Robles, California (Figures 1 and 2). Approximate coordinates for the center of the Study Area are 35.640049°, -120.655252° (WGS84), within the Paso Robles U.S. Geological Survey (USGS) 7.5' topographic quadrangle. The Study Area is within assessor's parcel number (APN) 025-362-008. Elevation is approximately 815 feet (248 meters) above sea level. The property is owned by the Case Paso, LLC.

Project Description

Case Pacific Company leases from Case Paso, LLC office buildings and an equipment storage yard at the subject property located at 2121 Ardmore Road in Paso Robles. The Case Paso, LLC owned property extends approximately 300 feet east of the currently developed area, into an undeveloped portion of the property that is the focus of this report. Case Paso, LLC plans to grade and improve an approximately 4.1-acre area for future undefined development. In addition to grading the site, two retaining walls would be installed. The existing valley oak tree located in the southwestern corner of the Study Area would not be removed.

Methods

A Study Area of approximately 5.3 acres was surveyed for biological resources on March 10, 2016 by Althouse and Meade, Inc. (A&M) biologists Lisa Gadsby and Matthew Beyers and on March 21, 2016 by Lisa Gadsby and Principal Scientists LynneDee Althouse and Dr. Patrick Mock. The Survey Area encompassed the proposed 2.8 acre grading area, plus an approximately 100 foot buffer to the east side. Biological surveys were conducted on foot in order to compile species lists, search for special status plants and animals, document habitats, and to photograph the Study Area. The general vegetation survey method included meandering transects with an emphasis on identifying each plant species observed. Transects were also utilized to describe

general conditions and dominant species, compile species lists, and evaluate potential habitat for special status species.

Two soil test pits were sampled on March 21, 2016 by LynneDee Althouse, wetland scientist, using techniques described in the 1987 Manual and the 2008 Arid West Supplement by the U.S. Army Corps of Engineers (USACE). A formal wetland delineation was not part of the scope of this project. One soil pit was dug to 18 inches where algae and wetland plants were apparent. For comparison, a second test pit was dug in an adjacent upland area dominated by upland vegetation, and the vicinity occupied by numerous ground squirrel holes. Findings were recorded on a 2008 USACE Routine Wetland Determination Data Form—Arid West Region (attached).

Identification of botanical resources included field observations and laboratory analysis of collected plant material. Botanical nomenclature used in this document follows the Jepson Manual, Second Edition (Baldwin et al. 2012).

Wildlife documentation included observations of animal presence and wildlife sign, such as scat and tracks. Observations of wildlife were recorded during the field survey in all areas of the Study Area. Birds were identified by sight or by vocalizations. Results of the botanical and wildlife surveys are summarized in the sections below.

Queries of the California Natural Diversity Database (CNDDB; March 3 data) and the California Native Plant Society (CNPS) On-line Inventory of Rare and Endangered Plants of California (CNPS 2016) were conducted prior to the site visit for the 9 USGS 7.5-minute quadrangles surrounding the Study Area in order to obtain data on special status plant and wildlife species known to occur in the general area.

Following site visits by A&M, the Central Coast Regional Water Quality Control Board (RWQCB) was consulted to determine whether water features identified in the Study Area would be considered jurisdictional under the Porter-Cologne Water Quality Control Act.

Potential Special Status Species and Sensitive Natural Communities

The CNDDB and CNPS On-line Inventory of Rare and Endangered Plants of California listed 47 special status plant species, subspecies, and varieties and 22 special status animal species known to occur in the 9-quadrangle search area surrounding the Study Area (Tables 1 and 2; attached). Figures 3 and 4 show the results of the CNDDB search within 5 miles of the Study Area for animals and plants, respectively.

Setting and Biological Survey Results

The Study Area encompasses approximately 5.3 acres of non-native annual grassland habitat dominated by rattail sixweeks grass (*Festuca myuros*), redstem filaree (*Erodium cicutarium*), California burclover (*Medicago polymorpha*), red brome (*Bromus madritensis* ssp. *rubens*), stalked popcorn flower (*Plagiobothrys stipitatus* var. *micranthus*) and common fiddleneck (*Amsinckia menziesii*). The western portion of the site contains a 0.4-acre imported fill soil stockpile that is approximately 18 feet higher in elevation than the eastern portion of the Study Area. The west, north, and south boundaries of the Study Area are bounded by barbed wire fences, and the eastern boundary is unfenced. Adjacent existing land uses include developed land to the west and a matrix of large-lot residential and annual grasslands to the north, south,

and east. Grassland habitat in the Study Area is actively grazed by horses and has been an actively grazed for many years.

A vegetated drainage swale, lacking a well-defined bed, bank and ordinary high water mark, traverses approximately 550 linear feet in length across the Study Area. When present, water flows along the swale from the southeast and exits the site to the north. Sheet flow and controlled stormwater runoff from the developed portion of the parcel to the west of the Study Area also appear to contribute water to the swale during rain events. Standing water was present along a portion of the swale during both surveys. An approximately 5-foot by 35-foot area (175 sq. ft.) of approximately 1.5-inch deep standing water was present on March 10. On March 21 standing water was less than 0.5-inch deep. Water-dependent plant species and hydric soils in the wetted area indicate this area is a wetland.

The source watershed area to the Study Area is less than 150 acres. Water in the swale sheet-flows north from the Study Area toward Union Road, where normal flows are carried into an 18-inch pipe through the City's storm drain system toward the Huerhuero Creek, a tributary to the Salinas River.

The Central Coast RWQCB does not intend to take jurisdiction over the swale feature identified in the Study Area (Richter 2016)

Soil Investigation Results

Hydric soil was observed in the wetland patch as indicated by a muck layer at the surface, and increasingly reduced matrix color at depth. Surface water was present seven days after the most recent rain event on March 14 (0.07 inch) that had been preceded by 5 days of rainfall over 0.1 inch for a total of 2.91 inches of rain in March 2016 (cumulative total 13.18 inches). Average precipitation for March (between 1942 and 2015) is 2.29 inches with a cumulative total of 12.76, and an annual average total of 14.03 inches (City of Paso Robles 2016). Dominant wetland plant indicators included toad rush *(Juncus bufonius)*, stalked popcornflower (*Plagiobothrys stipitatus* var. *micranthus),* coyote thistle *(Eryngium vaseyi)*, and California water starwort *(Callitriche marginata).*

The soil map unit in the vicinity of the wetland and swale is called San Ysidro loam, 0 to 2 percent slopes. Soils located in the vicinity of existing improvements within the Study area are mapped as Arbuckle fine sandy loam, 0 to 2 percent slopes and steeper slopes of the same map unit occur north of existing development. San Ysidro loam has a severe soil rutting hazard, whereas the Arbuckle fine sandy loam has a moderate soil rutting hazard rating. San Ysidro loam is moderately well drained compared to Arbuckle fine sandy loam that is well drained. Both soils have a hydrology rating of C, meaning that they have slow infiltration rate when thoroughly wet, and a slow rate of water transmission (USDA NRCS 2016).

The Central Coast RWQCB will take jurisdiction over the wetland feature as a Water of the State (Richter 2016).

Botanical Survey Results

The biological surveys conducted on March 10 and 21 identified 40 species and subspecies of vascular plants in the Study Area (Table 3; attached). The list includes 18 species native to California, and 22 introduced (naturalized or ornamental) species. Native plants species account for approximately 45 percent of the taxa within the Study Area, and non-native species account for approximately 55 percent. No listed or rare plant species were observed.

Of the 47 special-status plant species that were generated from the CNDDB and CNPS database queries, 46 were determined to have no or low potential to occur in the Study Area based on lack of appropriate habitat on the site and/or lack of detection at the site during their blooming period. This includes two federally threatened plant species, Santa Lucia purple amole (*Chlorogalum purpureum* var. *purpureum*) and Spreading Navarretia (*Navarretia fossalis*). One plant, shining navarretia (*Navarretia nigelliformis* ssp. *radians*), a California Rare Plant Rank (CRPR) 1B.2 species, was determined to have a high potential to occur at the site. This species has appropriate habitat on site, but would have been difficult to detect during the site surveys that were outside of the species blooming period of May to July. Details about these three species are provided below:

A. **Santa Lucia Purple Amole** (*Chlorogalum purpureum* var. *purpureum*) is a federally listed threatened species endemic to Monterey and San Luis Obispo Counties. It is a perennial herb (bulb) with a blooming period of April to June. The species occurs in grassy areas within blue oak woodland habitat, usually in heavy clay soils. The closest reported occurrence (CNDDB 16) is on Camp Roberts, approximately 13 miles northwest of the Study Area. Site surveys were not conducted within the species blooming period and therefore the species may not have been detectable; however, appropriate habitat for this species is not present in the Study Area and the species is not expected to occur.

B. **Spreading Navarretia** (*Navarretia fossalis*) is a federally listed threatened species endemic to California and Baja California, Mexico. It is an annual herb with a blooming period of April to June. Spreading navarretia is found in chenopod scrub, shallow freshwater marshes and swamps, playas, and vernal pool habitats. The nearest reported occurrence (CNDDB 70) is a historical record (1953) 11 miles southeast of the Study Area, near the community of Creston. Site surveys were not conducted within the species blooming period and therefore the species may not have been detectable; however, appropriate habitat is marginal in the Study Area and the species is not expected to occur.

C. **Shining Navarretia** (*Navarretia nigelliformis* ssp. *radians*) is a CRPR 1B.2 subspecies known from vernal pools, valley and foothill grassland, and cismontane woodland habitats in Fresno, Merced, Monterey, San Benito, and San Luis Obispo Counties. It is an annual herb with a blooming period of April to August. The nearest occurrence (CNDDB 68) is approximately 0.3 mile south of the Study Area, with several other occurrences nearby. Site surveys were not conducted within the species blooming period and therefore the species may not have been detectable. Appropriate habitat is present throughout the Study Area. Based on the presence of nearby occurrences and appropriate habitat at the site, the species has a high potential to occur.

Wildlife survey results

The biological surveys conducted on March 10 and 21 identified nine wildlife species in the Study Area, including American kestrel (*Falco sparverius*), common raven (*Corvus corax*), killdeer, (*Charadrius vociferous*), northern mockingbird (*Mimus polyglottos*), European starling (*Sturnus vulgaris*), western bluebird, (*Sialia mexicana*), yellow-rumped warbler (*Setophaga coronata*), California ground squirrel *(Spermophilus beecheyi*), and cottontail rabbit (*Sylvilagus audubonii*). Additionally, sign (scat and tracks) of coyote (*Canis latrans*) was observed in the Study Area. California ground squirrel complexes were present and evidence of gopher (*Thomomys* bottae) activity was also observed. All mammal burrows were thoroughly inspected for sign of burrowing owl (*Athene cunicularia*), San Joaquin kit fox (*Vulpes macrotis mutica*),

and American badger (*Taxidea taxus*). No evidence of these species was found at burrows or anywhere in the Study Area. No active bird nests were observed within the Study Area, however a small, inactive nest was observed in the elderberry bush located near the middle of the site. No large stick nests indicating nesting by raptors were observed in the large valley oak tree in the Study Area. The site is suitable for killdeer nesting.

Of the 22 special-status wildlife species generated from the CNDDB search, 18 were determined to have no or low potential to occur in the Study Area based on lack of appropriate habitat. This includes the federally listed threatened vernal pool fairy shrimp (*Branchinecta lynchi*) and California red-legged frog (*Rana draytonii*), the California listed endangered and federal Bald and Golden Eagle Protection Act listed bald eagle (*Haliaeetus leucocephalus*), the federally listed endangered and state listed threatened San Joaquin kit fox (*Vulpes macrotis mutica*), and the California candidate for listing as threatened Townsend's big-eared bat (*Corynorhinus townsendii*). Golden eagle (*Aquila chrysaetos*), a CDFW Fully Protected species, and Ferruginous hawk (*Buteo regalis*), a CDFW Watch List species, were determined to have a moderate potential to winter and/or forage in the Study Area but low potential to nest at the site. American badger, a CDFW Species of Special Concern, was determined to have a moderate potential to occur on site. Details about these eight species are provided below:

A. **Golden Eagle** (*Aquila chrysaetos*) is designated as Fully Protected species by the CDFW, and is federally protected by the Bald and Golden Eagle Protection Act. The species range extends throughout much of North America. They require open hunting grounds with abundant prey and cliffs or large trees for nesting. They feed mostly on rabbits and rodents but also feed on other mammals, birds, reptiles, and carrion. The nearest CNDDB occurrence of nesting golden eagles is approximately 1 mile north of the Study Area along Huerhuero Creek (CNDDB 122). Golden eagles have been known to nest at the Huerhuero Creek site for many years. No golden eagles or potential eagle nests were observed during the site visits. Suitable foraging habitat for Golden eagle is present in grassland habitat in the Study Area; however there is low potential for the species to nest in the valley oak tree on site due to its proximity to noise and disturbance from the adjacent developed property.

B. **Vernal pool fairy shrimp** (*Branchinecta lynchi*) is a small freshwater crustacean that is federally listed as threatened. The species is endemic to California and southern Oregon and has an ephemeral life cycle, existing only in vernal pools or vernal pool-like habitats. The vernal pool fairy shrimp occurs only in cool-water pools. Individuals hatch from cysts during cold-weather winter storms; they require water temperatures of 50°F or lower to hatch (Helm 1998; Eriksen and Belk 1999). The time to maturity and reproduction is temperature dependent, varying between 18 days and 147 days, with a mean of 40 days. Immature and adult shrimp are known to die off when water temperatures rise above 75°F (Helm 1998). The species is typically associated with small shallow vernal pools (typically about 6 inches deep) that have relatively short periods of inundation (Helm 1998) and low to moderate total dissolved solids (TDS) and alkalinity (Eriksen and Belk 1999). The nearest record of occurrence (CNDDB 287) is approximately 1.3 miles east of the Study Area. There are two additional records (CNDDB 294, CNDDB 621) within 2.5 miles of the Study Area, as well as USFWS designated Critical Habitat within 1 mile. Wetland habitat in the Study Area may provide suitable habitat for vernal pool fairy shrimp, however the habitat is within a drainage swale that experiences flow only during heavy rains. The Study Area is physically isolated from the nearby occurrences and Critical Habitat by the Salinas

River and Huerhuero Creek. Adult vernal pool fairy shrimp are approximately 0.12 to 1.5 inches in length (USFWS 2007) and therefore, when present, are usually detectable in occupied ponded areas. The wetland pool was visually inspected for invertebrates during both site visits and no branchiopods (i.e. fairy shrimp) were observed. However, this does not rule out potential for the species to be present as the species may not appear in a given location every year based on thermal and chemical properties of pool waters from year to year (USFWS 2007). Protocol level surveys were not conducted. Based on isolation from nearby occurrences and the fact that water flows through the wetland habitat only during heavy rains, there is a low potential for vernal pool fairy shrimp to occur in the wetland habitat onsite.

C. **Ferruginous hawk** (*Buteo regalis*) is a California Species of Special Concern that winters in grassland habitats in San Luis Obispo County and elsewhere in California. It does not breed in San Luis Obispo County, but is protected on its wintering grounds. Ferruginous hawks prefer short-grass habitats such as grasslands and fallow farm fields where they often perch on the ground and hunt by coursing low over the fields. They are regular but never abundant winter residents in the interior portion of the County, and could be present seasonally from October through February. Ferruginous hawks were not observed during the site visits, but have moderate potential to forage in the Study Area during winter.

D. **Townsend's big-eared bat** (*Corynorhinus townsendii*) is a California Species of Special Concern and is currently a candidate for listing as a threatened species in California. It is a medium-sized bat with large rabbit-like ears. It has been recorded in a number of different habitats in California. In our area they are both found consistently in the vicinity of creek beds where they use the riparian corridor for foraging. Typical roost sites are in caves or buildings with cave-like features. Townsend's big-eared bat is sedentary and is presumed to spend the winter within 25 miles of its summer roosts. The nearest record of occurrence is approximately 10.5 miles north (CNDDB 341). Appropriate roosting habitat is not present in the Study Area and the species is not expected to occur.

E. **Bald Eagle** (*Haliaetus leucocephalus)* is a state listed endangered and fully protected species. The bald eagle has a range extending throughout North America. It nests in forested areas adjacent to large bodies of water. The species is more common as a winter resident in San Luis Obispo County and is a regular winter resident on Nacimiento and San Antonio Lakes. The nearest occurrence of nesting is approximately 12 miles northwest of the Study Area (CNDDB 253) along the Nacimiento Rover. Appropriate nesting habitat is not present in the study area and there is low potential for the species to forage in the Study Area.

F. **California red-legged frog** *(Rana draytonii)* is a federally listed threatened species known from sporadic occurrences documented throughout San Luis Obispo County. There are no reports from the Paso Robles area. It generally requires seasonal pools or streams that hold water until late summer for successful breeding. Bullfrogs and introduced fish are detrimental to its breeding success, and have severely reduced many populations in larger watercourses and perennial ponds. The nearest record of occurrence is approximately 8 miles south of the Study Area, within a tributary to the Salinas River in Templeton (CNDDB 617). Appropriate habitat for California red-legged frog is not present within the Study Area and the species is not expected to occur.

G. **American Badger** (*Taxidea taxus*) is a California Species of Special Concern known to occur in open grasslands, prairies, and farmlands throughout much of North America. Badgers are highly mobile and hunt ground squirrels and other small and medium-sized prey. The nearest recorded observation of the species is approximately 5.2 miles south of the Study Area (CNDDB 23). No American badgers or badger sign (e.g., dig-outs, large dens) were observed during the site visits; however the Study Area contains appropriate habitat and prey base for the species. The species is highly mobile and there is a moderate potential that the species could occur in the Study Area.

H. **San Joaquin kit fox** (*Vulpes macrotis mutica)* is a federally listed endangered species and a state listed threatened species. It is one of two subspecies of the kit fox, *Vulpes macrotis*, which is the smallest canid species in North America. Prior to 1930, the range of the San Joaquin kit fox included most of the San Joaquin Valley, however, by 1930 it was believed that the range of the San Joaquin kit fox had been reduced to half of its historical size. San Joaquin kit fox is known from the Carrizo Plain and Camp Roberts, with transient individuals presumed to move between the two populations. The Camp Roberts population has been locally extinct since 2007 when the last sighting was reported.. The nearest record of occurrence is approximately 0.8 mile southeast of the project, reported in 1991 (CNDDB 941). There are no records of kit fox within the 9 quad areas surrounding the project within the past 12 years. No evidence of the species was observed during site visits, however appropriate habitat is present within the Study Area. The species is highly mobile and the Study Area is contiguous with open habitat bordering a known movement corridor. There is a low potential that the species may occur on site as resident individuals, and would most likely be transient individual(s) foraging or passing through the site. The project location is mapped on the Standard San Joaquin Kit Fox Mitigation Ratio Areas map for San Luis Obispo County as within the three-to-one habitat area for SJKF (3:1, three acres required for every one acre lost as SJKF habitat; see County of San Luis Obispo 2015).

Recommendations

In order to avoid and minimize the potential for impacts to special-status plant and wildlife species during grading activities in the Study Area, the following Best Management Practices (BMPs) are recommended. No measures are provided for wintering or foraging Ferruginous hawks or golden eagles or listed fairy shrimp.

1. **Shining navarettia**. Conduct an appropriately-timed focused survey for shining navarettia. If shining navarettia is found to be present, the following steps will be taken:

    a. Prior to issuance of County grading permits, if the final grading plan indicates project construction would affect any of the shining navarettia on the property, the applicant shall submit a rare plant impact analysis to the lead agency. The impact analysis shall provide a calculation of the square footage of impacts to the shining navarettia population in the impact area and determine the mitigation requirement based on the percentage of impact.

        i. *If the project would affect less than 10 percent* of the shining navarretia population (square feet) on the Property, the project biologist shall collect the seeds of these species from within the proposed disturbance area and distribute them on the undisturbed Property to enhance existing patches or

establish new areas of occurrence. A letter report shall be provided to the County of San Luis Obispo outlining the details. This mitigation recommendation does not require a monitoring component.

ii. *If the project affects 10 percent or more* of the shining navarretia habitat (square feet) on the Property, a mitigation and monitoring plan shall be developed by a qualified biologist to replace lost navarretia habitat at a 1:1 ratio off-site. The mitigation plan will provide details on appropriate mitigation sites, seed collection and distribution methods, success criteria, and maintenance and monitoring requirements.

2. **Burrowing owl**. Within two weeks prior to ground disturbing activities, conduct a survey for burrowing owl within the impact area. If an occupied burrowing owl den is found during the survey, avoidance or passive relocation measures shall be implemented at the discretion of a qualified biologist, in accordance with the 2012 California Department of Fish and Game Staff Report on Burrowing Owls.

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

4. **Nesting birds**. Nesting birds are protected under the federal Migratory Bird Treaty Act. Therefore, if ground disturbing activities are to occur during the bird nesting season (February 15 to August 15), a survey for nesting birds should be conducted by a qualified biologist within three days prior to work activities. If nesting birds are located, an appropriate construction buffer, as determined by a qualified biologist, should be installed until the young have fledged or the nest is determined to be inactive.

5. **San Joaquin kit fox**. Annual grassland habitat in the Paso Robles region is considered potential habitat for the federally endangered San Joaquin kit fox. Loss or permanent degradation of grassland habitat in this area is a significant but mitigable impact. The subject property is within the three-to-one (3:1) mitigation ratio area (acres replaced per acres impacted; see County of San Luis Obispo 2015).

a. Prior to issuance of grading and/or construction permit(s), the applicant shall submit evidence to the City of Paso Robles (City) that states that one or a combination of the following four San Joaquin kit fox mitigation measures has been implemented:

i. Provide for the protection in perpetuity, through acquisition of a fee or a conservation easement of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Wildlife (CDFW) and the City of Paso Robles (City).

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

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

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

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

Mitigation alternative (iv) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and is currently priced at $2500 per credit. The fee is

established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to City permit issuance and initiation of any ground disturbing activities.

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

   i. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction,** the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.

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

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

   If incidental take of kit fox during project activities is possible, **before project activities commence,** the applicant must consult with the USFWS. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

   iv. **In addition,** the qualified biologist shall implement the following measures to avoid incidental take of kit fox:

      1. **Within 30 days prior to initiation of site disturbance and/or construction**, fenced exclusion zones shall be established around all

known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:

- Potential kit fox den: 50 feet
- Known or active kit fox den: 100 feet
- Kit fox pupping den: 150 feet

2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring by a qualified biologist shall be required during ground disturbing activities.

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

d. **During the site disturbance and/or construction phase**, grading and construction activities after dusk shall be prohibited unless coordinated through the City, during which additional kit fox mitigation measures may be required.

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

f. **During the site-disturbance and/or construction phase,** to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox.

Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

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

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

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

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

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

   i. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches.
   ii. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards
   iii. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines

Wetland Habitat. Impacts to the 175-square foot wetland feature are under the jurisdiction of the Regional Water Quality Control Board (RWQCB) as a Water of the State of California. The project proponent shall submit a Notice of Intent to enroll under the General Waste Discharge Requirements (WDR) for Non-Federal Jurisdictional Waters (Order No. 2004-0004-DWQ) for permanent impacts to the wetland feature. As part of the WDR, the project proponent will propose compensatory mitigation for permanent impacts to the wetland, as outlined in the Mitigation Plan section of the WDR notice.

Thank you for allowing us to be of assistance. If you have any questions or concerns, please call me at (805) 237-9626.

Sincerely,

Althouse & Meade, Inc.

Patrick J. Mock, PhD, CSE, CWB®
Principal Scientist

Attachments:

- References
- Photographs
- Figures
- CNDDB/CNPS Special Status Species Lists
- List of Vascular Plants Detected
- USACE Routine Wetland Determination Data Forms

References

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Photographs

Photo 1. Overview of site from southern end of Survey Area, facing north. March 10, 2016.

Photo 2. Overview of site from east facing west. March 10, 2016.

Photo 3. View of top of fill pile, facing southeast. March 10, 2016.

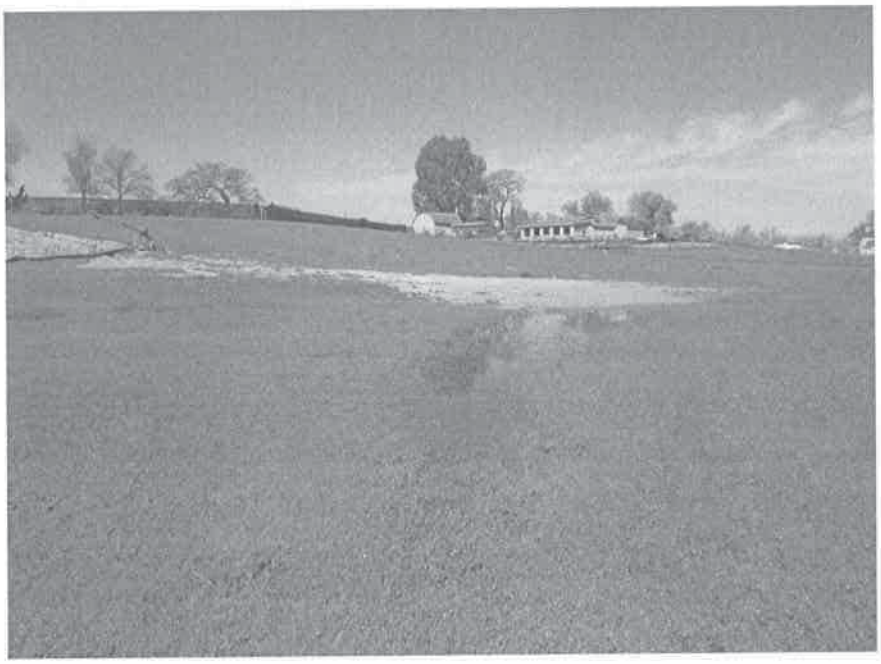
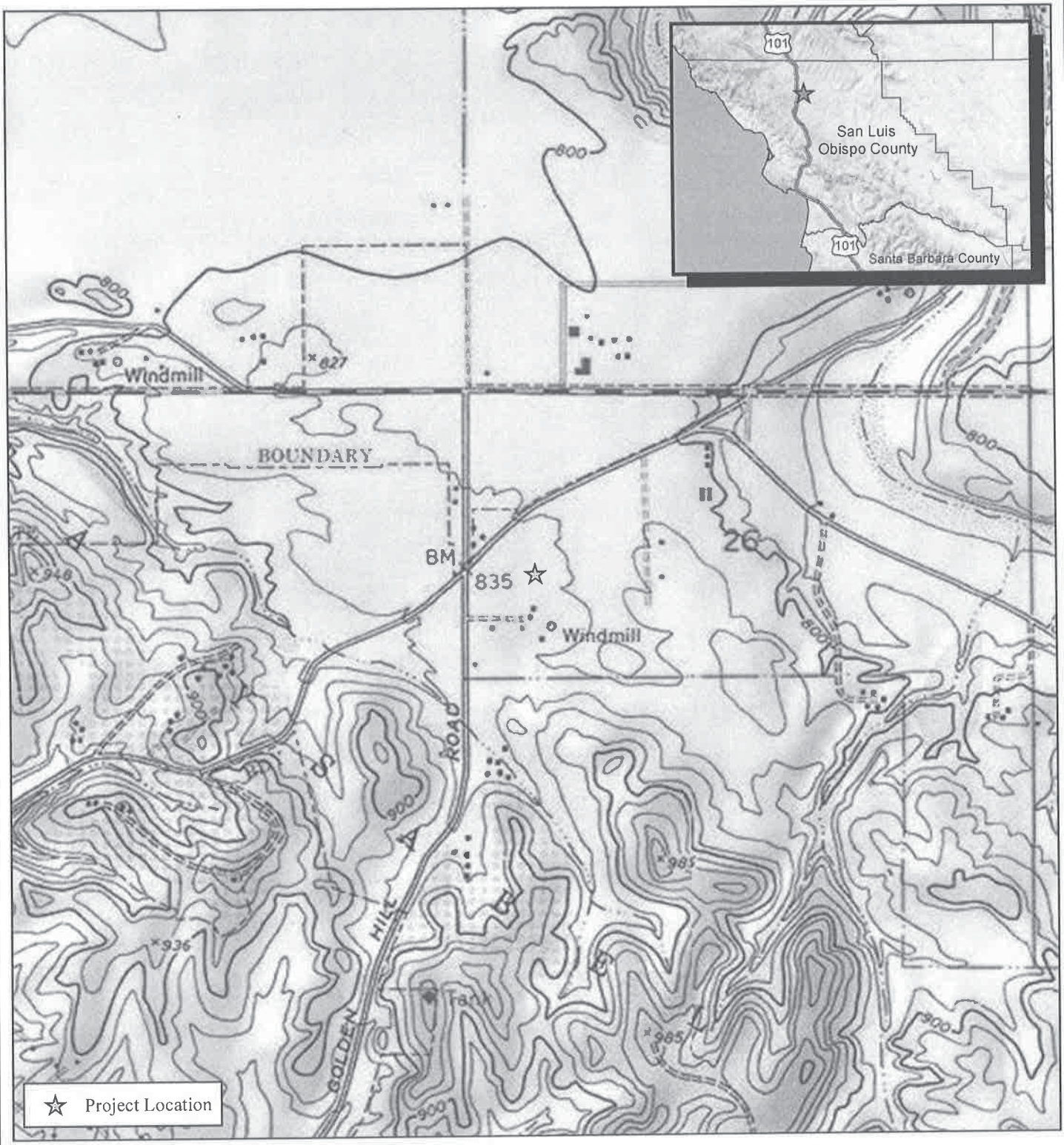


Photo 4. Ponded area east of fill soil stockpile, facing northwest. March 10, 2016.

Figures

Figure 1. Location Map



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Case Paso
Paso Robles, CA

Map Updated: February 26, 2016, 02:37 PM

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Figure 2. Aerial Photograph

Study Area (5.3 ac.)

0 50 100 200 Feet

Case Paso
Paso Robles, CA

April 2015 Google Earth
Aerial Imagery
Map Updated: April 04, 2016, 09:05 AM

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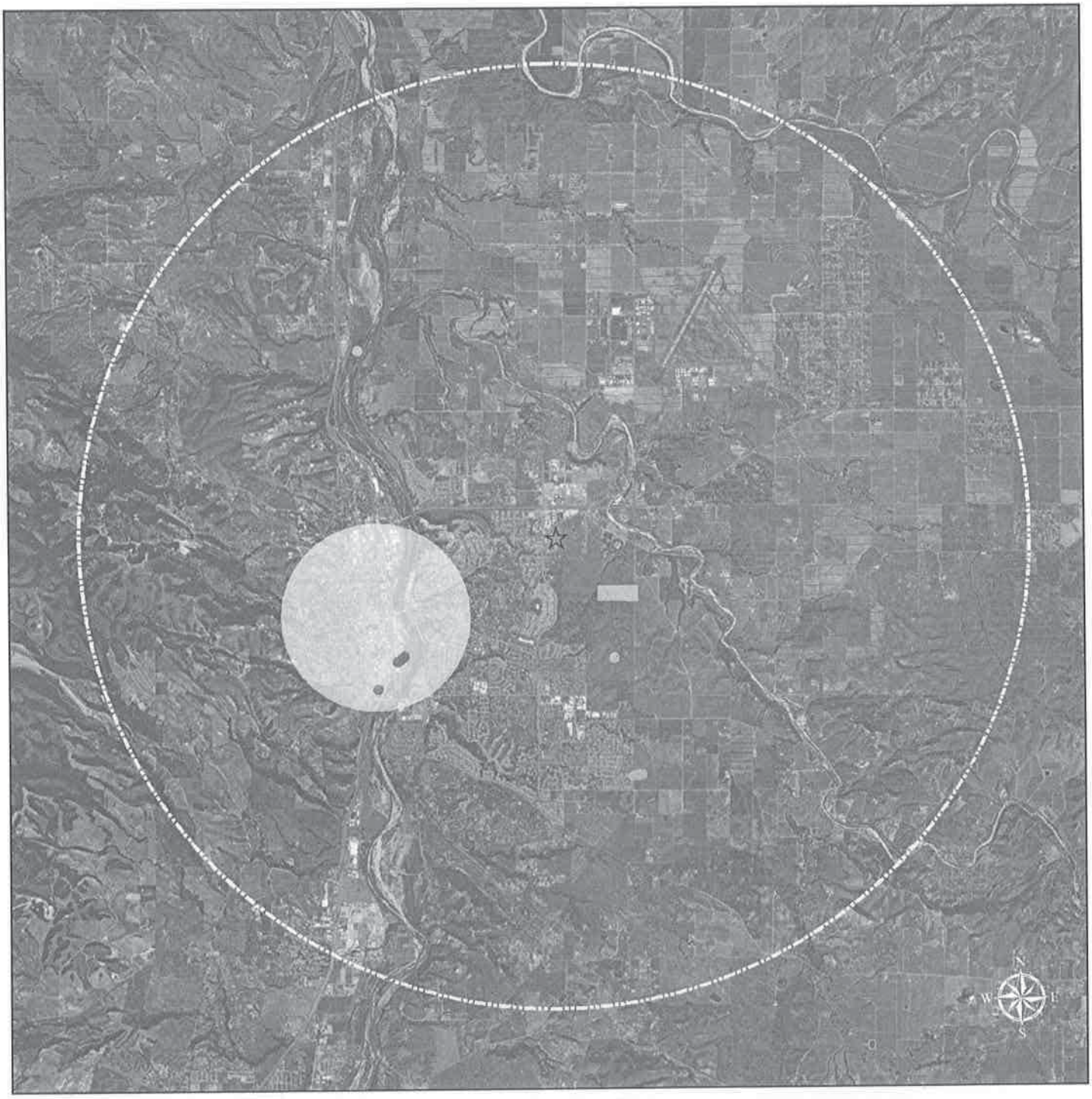
Figure 3. CNDDB Animals & USFWS Critical Habitat



CNDDB
- Least Bell's vireo
- Golden Eagle
- San Joaquin kit fox
- Vernal pool fairy shrimp
- Western pond turtle
- Western spadefoot

Critical Habitat
- Vernal Pool Fairy Shrimp
- Steelhead

- 5 Mile Buffer
- Project Location

0 0.5 1 2 3 Miles

Case Paso
Paso Robles, CA

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Map Updated: March 10, 2016, 02:27 PM

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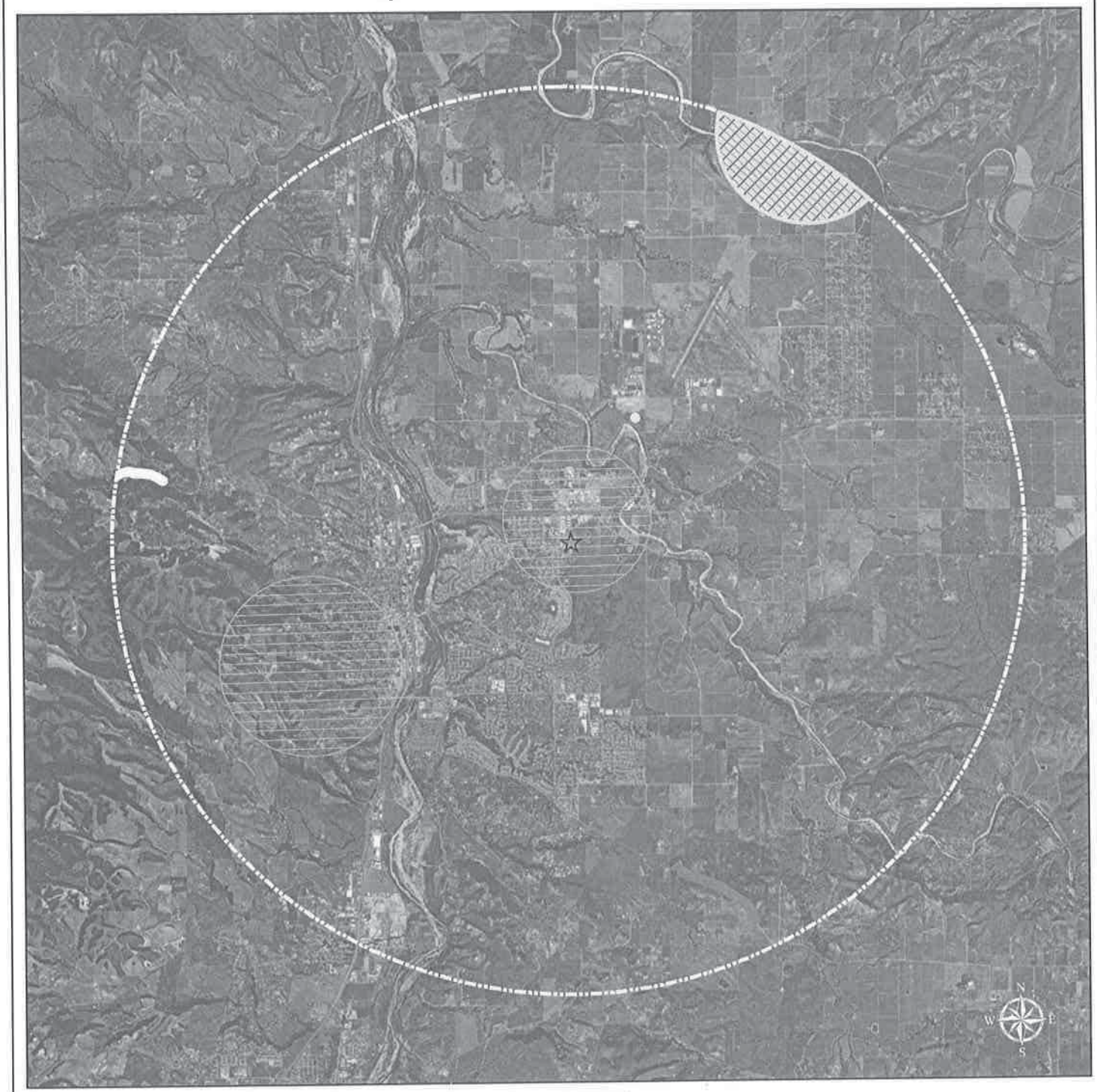
Figure 4. CNDDB Plants



Jared's pepper-grass
Lemmon's jewelflower
Oval-leaved snapdragon
Round-leaved filaree
San Luis Obispo owl's-clover
Santa Lucia dwarf rush
Shining navarretia
Woodland woollythreads
5 Mile Buffer
Project Location

0 1 2 4 Miles

Case Paso
Paso Robles, CA

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Map Updated: March 10, 2016, 02:34 PM

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CNDDB/CNPS Special Status Species Lists

Potential Special Status Plant List

Table 1 lists 47 special status plant species reported from the region. Federal and California State status, global and State rank, and CNPS ranking status for each species are given. Typical blooming period, habitat preference, potential habitat on site, and whether or not the species was observed in the Study Area are also provided.

TABLE 1. SPECIAL STATUS PLANT LIST. Listed are the 47 special status plants reported from the region.

	Common and Scientific Names	Fed/State Status CRPR	Blooming Period	Lifeform	Habitat Preference	Detected Within Study Area?	Potential to Occur	Effect of Proposed Activity
1.	**Bristlecone Fir** *Abies bracteata*	None/None 1B.3	n/a	Gymnosperm: tree	Lower montane coniferous forest. Rocky sites in Monterey and SLO Counties. 210-1600 m.	No	No. Not observed on site and out of species range.	None
2.	**Douglas' Fiddleneck** *Amsinckia douglasiana*	None/None 4.2	March – June	Annual herb	Unstable shaly sedimentary slopes; (100) 150–1600 m. SCoR, w WTR	No	No. No suitable soils; no records within 9 quad search.	
3.	**Oval-leaved Snapdragon** *Antirrhinum ovatum*	None/None 4.2	May - November	Annual herb	Heavy, adobe-clay soils on gentle, open slopes, also disturbed areas; 200-1000 m. s SnJV, s SCoRI	No	No. Habitat marginal. Only one historical record within 9 quad search.	
4.	**Hoover's Manzanita** *Arctostaphylos hooveri*	None/None 4.3	February - April	Shrub	Rocky slopes, upland chaparral, open ponderosa-pine forest near coast; 450-1100 m. SCoRO	No	No. Not observed at site.	
5.	**Bishop Manzanita** *Arctostaphylos obispoensis*	None/None 4.3	February - March	Shrub	Rocky, gen serpentine soils, chaparral, open close-cone forest near coast; 60-950 m; SCoRO	No	No. Not observed at site.	

	Common and Scientific Names	Fed/State Status CRPR	Blooming Period	Lifeform	Habitat Preference	Detected Within Study Area?	Potential to Occur	Effect of Proposed Activity
6.	**Indian Valley Spineflower** *Aristocapsa insignis*	None/None 1B.2	May - September	Annual herb	Foothill woodland; 300-600 m. SCoRI (Monterey, SLO Counties)	No	Low. Appropriate habitat not present and only one historical record within 9 quad search.	
7.	**Salinas Milk-vetch** *Astragalus macrodon*	None/None 4.3	April - July	Perennial herb	Eroded pale shales or sandstone, or serpentine alluvium; 300-950 m. SCoR	No	Low. No suitable soils; no records within 9 quad search.	
8.	**Round-leaved Filaree** *California macrophylla*	None/None 1B.2	March - May	Annual herb	Clay soils in cismontane woodland, valley and foothill grassland; 15-1200 m. ScV, n SnJV, CW, SCo, n ChI	No	Low. Species not observed. The two records within 9 quad search are historical.	
9.	**La Panza Mariposa Lily** *Calochortus simulans*	None/None 1B.3	April - May	Perennial herb (bulb)	Grassland, oak woodland & pine forest, on sand, granite, or serpentine; <1100 m. Endemic to SLO County	No	Low. Grassland habitat is present but no records within 9 quad search.	
10.	**Dwarf Calycadenia** *Calycadenia villosa*	None/None 1B.1	May - October	Annual herb	Dry, rocky hills, ridges, in chaparral, woodland, meadows and seeps; <1100 m. c&s SCoRO	No	No. Appropriate habitat is not present. No records within 5 miles.	
11.	**Santa Cruz Mountains Pussypaws** *Calyptridium parryi var. hesseae*	None/None 1B.1	May – August	Annual herb	Sandy or gravelly openings in chaparral and cismontane woodland. 700-1100 m.	No	No. Habitat is not present and site is below species known elevational range. Only 1 historical record within 9 quad search.	

	Common and Scientific Names	Fed/State Status CRPR	Blooming Period	Lifeform	Habitat Preference	Detected Within Study Area?	Potential to Occur	Effect of Proposed Activity
12.	**Hardham's Evening-primrose** *Camissoniopsis hardhamiae*	None/None 1B.2	April - May	Annual herb	Decomposed carbonate soils, in chaparral, cismontane woodland. Monterey, SLO Counties	No	No. Habitat is not present. Nearest record is 15 miles north.	
13.	**San Luis Obispo Owl's-clover** *Castilleja densiflora var. obispoensis*	None/None 1B.2	March - June	Annual herb	Coastal grassland, <100 m. Endemic to SLO County.	No.	Low. Habitat is present and species recorded 1.5 miles northeast of Study Area; however not detected during site visits.	
14.	**Lemmon's Jewelflower** *Caulanthus lemmonii*	None/None 1B.2	March – May	Annual herb	Dry, exposed slopes, grassland, chaparral, scrub; 80-1100 m. sw SnJv, se SnFrb, e SCoRO, SCoRI	No	No. Plant would have been detectable during survey. Nearby CNDDB records are historical.	
15.	**Lompoc Ceanothus** *Ceanothus cuneatus var. fascicularis*	None/None 4.2	February - April	Shrub	Chaparral on coastal sandy mesas; <400 m. s Cco	No	No. Habitat not present and plant would have been detectable.	
16.	**Santa Lucia Purple Amole** *Chlorogalum purpureum var. purpureum*	FT/None 1B.1	April - June	Perennial herb (bulb)	Cismontane woodland, valley and foothill grassland, often with blue oaks. 300-330 m. Monterey, SLO Counties	No	Low. Grassland habitat is present but no records within 9 quad search.	
17.	**Douglas' Spineflower** *Chorizanthe douglasii*	None/None 4.3	April - July	Annual herb	Foothill woodland, pine forest, chaparral, sandy or gravelly soils; 200-1600 m. e SCoRO, SCoRI	No	No. Appropriate habitat is not present.	

	Common and Scientific Names	Fed/State Status CRPR	Blooming Period	Lifeform	Habitat Preference	Detected Within Study Area?	Potential to Occur	Effect of Proposed Activity
18.	**Palmer's Spineflower** *Chorizanthe palmeri*	None/None 4.2	May – August	Annual herb	Serpentine; 60-700m. SCoRO (w Monterey, w San Luis Obispo cos.)	No	No. Habitat is not present and no records within 9 quad search.	
19.	**Straight-awned Spineflower** *Chorizanthe rectispina*	None/None 1B.3	May - July	Annual herb	Chaparral, dry woodland in sandy soil; 200-600 m. SCoRO	No	No. Habitat is not present,	
20.	**Monkey-flower Savory** *Clinopodium mimuloides*	None/None 4.2	June – October	Perennial herb	Moist places, streambanks, chaparral, woodland; 400-1800 m. CCo, SCoRO, WTR, SnGb	No	No. Habitat is not present, site is below species range of elevation, and no records within 9 quad search.	
21.	**Small-flowered Morning-glory** *Convolvulus simulans*	None/None 4.2	April - June	Annual herb	Clay substrates, occ serpentine, ann grassland, coastal-sage scrub, chaparral; 30-875 m.; s SNF, SnFrB, s SCoRO, Sco, ChI, WTR, PR; AZ, Baja CA.	No	Low; grassland habitat is present however no records within 9 quad search.	
22.	**Small-flowered Gypsum-loving Larkspur** *Delphinium gypsophilum ssp. parviflorum*	None/None 3.2	March - June	Perennial herb	Clay soil in cismontane woodland; 200-350 m.	No	No. Habitat is not present and no records within 9 quad search.	
23.	**Eastwood's Larkspur** *Delphinium parryi ssp. eastwoodiae*	None/None 1B.2	March – May	Perennial herb	Coastal chaparral, grassland, on serpentine; 100-500m sCCo, SCoRO (San Luis Obispo County)	No	No. Serpentine soils not present. Only record within 9 quad search is historical.	
24.	**Umbrella Larkspur** *Delphinium umbraculorum*	None/None 1B.3	April - June	Perennial herb	Moist oak forest; 400-1600 m. SCoRO, WTR.	No	No. Habitat is not present. Two records within 9 quad search are historical.	

	Common and Scientific Names	Fed/State Status CRPR	Blooming Period	Lifeform	Habitat Preference	Detected Within Study Area?	Potential to Occur	Effect of Proposed Activity
25.	**Koch's Cord Moss** *Entosthodon kochii*	None/None 1B.3	n/a	Bryophyte: moss	Cismontane woodland. Moss growing on soil;	No	No. Habitat is not present and no records within 9 quad search.	
26.	**Yellow-flowered Eriastrum** *Eriastrum luteum*	None/None 1B.2	May – June	Annual herb	Bare sandy decomposed granite slopes in cismontane woodland, chaparral, forest; 360-1000 m. SCoR, Monterey, SLO Counties	No	No. Habitat is not present. One records within 9 quad search is historical.	
27.	**Elegant Wild Buckwheat** *Eriogonum elegans*	None/None 4.3	May – November	Annual herb	Sand or gravel; 200 – 1200 m. SnFrB, SCoR, WTR	No	No. Habitat is not present and no records within 9 quad search.	
28.	**Jepson's Woolly Sunflower** *Eriophyllum jepsonii*	None/None 4.3	April – June	Perennial herb	Dry oak woodland; 200-1000 m. SnFrB, SCoRI	No	No. Habitat is not present and no records within 9 quad search.	
29.	**San Benito Poppy** *Eschscholzia hypecoides*	None/None 4.3	March – June	Annual herb	Grassy area in woodland, chaparral; 200-1600 m. SCoRI	No	No. Habitat is not present and no records within 9 quad search.	
30.	**Hogwallow Starfish** *Hesperevax caulescens*	None/None 4.2	March - June	Annual herb	Clay soils, mesic sites in valley and foothill grassland; 0-505 m.	No	No. Marginal habitat present. No records within 9 quad search. Would have been detectable during survey.	
31.	**Mesa Horkelia** *Horkelia cuneata var. puberula*	None/None 1B.1	February - September	Perennial herb	Dry, sandy coastal chaparral; gen 70-700 m. SCoRO, SCo.	No	No. Habitat is not present. Three records within 9 quad search are historical.	

	Common and Scientific Names	Fed/State Status CRPR	Blooming Period	Lifeform	Habitat Preference	Detected Within Study Area?	Potential to Occur	Effect of Proposed Activity
32.	**Kellogg's Horkelia** *Horkelia cuneata var. sericea*	None/None 1B.1	April - September	Perennial herb	Old dunes, coastal sand hills; <200 m. CCo	No	No. Habitat is not present. One record within 9 quad search is historical.	
33.	**Santa Lucia Dwarf Rush** *Juncus luciensis*	None/None 1B.2	April – July	Annual herb	Vernal pools, ephemeral drainages, wet meadow habitats, and streams; 300-1900 m. CaRH, n SNH, SCoRO, TR, PR, MP.	No	Low; marginal habitat is present. Historical record within 5 miles of project.	
34.	**Pale-yellow Layia** *Layia heterotricha*	None/None 1B.1	March - June	Annual herb	Alkaline or clay soils, open areas, in pinyon-juniper woodland, grassland; 270-1705 m. Teh, SnJV, SCoR, n WTR	No	Low. Grassland habitat is present. Only one historical record within 9 quad search.	
35.	**Jared's Pepper-grass** *Lepidium jaredii* ssp. *jaredii*	None/None 1B.2	March - May	Annual herb	Alkali bottoms, slopes, washes, <500 m. SCoRI, SnJV	No.	No. Habitat is not present. Only record within 9 quad search is historical.	
36.	**Davidson's Bush-mallow** *Malacothamnus davidsonii*	None/None 1B.2	June - January	Shrub	Sandy washes in coastal scrub, riparian woodland, chaparral; 180-855 m. c SCoRO, SCo	No	No. Habitat is not present. Only one record within 9 quad search.	
37.	**Jones' Bush-mallow** *Malacothamnus jonesii*	None/None 4.3	May - July	Shrub	Open chaparral in foothill woodland; 250-830 m. SCoRO (Monterey, SLO Counties).	No	No. Habitat is not present and no records within 9 quad search.	

	Common and Scientific Names	Fed/State Status CRPR	Blooming Period	Lifeform	Habitat Preference	Detected Within Study Area?	Potential to Occur	Effect of Proposed Activity
38.	**Carmel Valley Malacothrix** *Malacothrix saxatilis* var. *arachnoidea*	None/None 1B.2	March - December	Perennial herb	Rock outcrops, steep rocky road cuts in chaparral; 25-1215 m. Endemic to Monterey County	No	No. Habitat is not present. Only one record within 9 quad search.	
39.	**Mt. Diablo Cottonweed** *Micropus amphibolus*	None/None 3.2	March - May	Annual herb	Bare, grassy, or rocky slopes; 50-800 m. NCoR, SnFrB, s SCoRO	No	No. Habitat is not present and no records within 9 quad search.	
40.	**Woodland Woollythreads** *Monolopia gracilens*	None/None 1B.2	March – July	Annual herb	Chaparral, serpentine grassland, cismontane woodland, sandy to rocky soils; SnFrB, SCoR	No	No. Habitat is not present. Only one historical record within 9 quad search.	
41.	**Spreading Navarretia** *Navarretia fossalis*	FT/None 1B.1	April - June	Annual herb	Chenopod scrub, marshes and swamps, playas, and vernal pools; 30-1300m. SCoRO, SCo, to Baja Cal.	No	Low; marginal habitat present. Only record within 9 quad search is historical.	
42.	**Shining Navarretia** *Navarretia nigelliformis ssp. radians*	None/None 1B.2	May - July	Annual herb	Vernal pools, clay depressions, dry grasslands; 150-1000 m. SCoR	No	High. Habitat is present and several records within 1 mile.	
43.	**Prostrate Vernal Pool Navarretia** *Navarretia prostrata*	None/None 1B.1	April - June	Annual herb	Vernal pools or alkaline soils in grasslands; 15-700 m. w SnJV, SCoRI, c SCo, PR	No	Low. Marginal habitat may be present in wetland area; nearest record is 13 miles northwest.	
44.	**Large-flowered Nemacladus** *Nemacladus secundiflorus var. secundiflorus*	None/None 4.3	April – May	Annual herb	Dry, gravelly slopes; 200-2000m. s SNH, SCoR	No	No. Habitat is not present and no records within 9 quad search.	

	Common and Scientific Names	Fed/State Status CRPR	Blooming Period	Lifeform	Habitat Preference	Detected Within Study Area?	Potential to Occur	Effect of Proposed Activity
45.	**Hooked Popcornflower** *Plagiobothrys uncinatus*	None/None 1B.2	April - May	Annual herb	Canyon sides, chaparral; on sandstone 300-600 m. n SCoR (Gabilan Range, Santa Lucia Mountains)	No	No. Habitat is not present. Nearest record is 10 miles north.	
46.	**San Gabriel Ragwort** *Senecio astephanus*	None/None 4.3	January - April	Perennial herb	Drying alkaline flats, chaparral, cismontane woodland, coastal scrub; <400 m. CW, SCo, ChI	No	No. Habitat is not present and no records within 9 quad search.	
47.	**Santa Cruz Microseris** *Stebbinsoseris decipiens*	None/None 1B.2	April - May	Annual herb	Open areas in loose soil derived from sandstone, shale, or serpentine; 10-500 m. n & c CCo	No	Low; marginal habitat is present. One record within 9 quad search.	

Habitat Preference Abbreviations:

CCo: Central Coast
SCo: South Coast
SCoR: South Coast Ranges
SCoRO: Outer South Coast Ranges
SCoRI: Inner South Coast Ranges
SnFrB: San Francisco Bay
TR: Transverse Ranges
WTR: Western Transverse Ranges
SnJV: San Joaquin Valley
ScV: Sacramento Valley
SLO: San Luis Obispo
SN: Sierra Nevada
SnJt: San Jacinto Mtns
SnBr: San Bernardino
Teh: Tehachapi Mtn Area
CW: Central West
SW: South West
DMoj: Mojave Desert
PR: Peninsular Range

State/Rank Abbreviations:

FE: Federally Endangered
FT: Federally Threatened
PE: Proposed Federally Endangered
PT: Proposed Federally Threatened
CE: California Endangered
CR: California Rare
CT: California Threatened
Cand. CE: Candidate for California Endangered
Cand. CT: Candidate for California Threatened

California Rare Plant Ranks:

CRPR 1A: Plants presumed extirpated in California and either rare or extinct elsewhere
CRPR 1B: Plants rare, threatened, or endangered in California and elsewhere
CRPR 2A: Plants presumed extirpated in California, but common elsewhere
CRPR 2B: Plants rare, threatened, or endangered in California, but more common elsewhere
CRPR 4: Plants of limited distribution - a watch list

CRPR Threat Ranks:

0.1 - Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
0.2 - Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)
0.3 - Not very threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known)

Potential Special Status Animals List

Table 2 lists 22 special status animal species reported from the region. Federal and California State status, global and State rank, and CDFW listing status for each species are given. Typical nesting or breeding period, habitat preference, potential habitat on site, and whether or not the species was observed in the Study Area are also provided.

TABLE 2. SPECIAL STATUS ANIMAL LIST. Listed are the 22 special status animals known or reported from the region are listed.

	Common and Scientific Names	Fed/State Status CDFW Rank	Nesting/ Breeding Period	Habitat Preference	Potential to Occur	Detected Within Study Area?	Effect of Proposed Activity
1.	**Tricolored Blackbird** *Agelaius tricolor*	None/None SSC (nesting colony)	March 15 - August 15	Requires open water, protected nesting substrate, & foraging area with insect prey near nesting colony.	No. Habitat is not present. Nearest nesting colony record is 16 miles north.	No	
2.	**Silvery Legless Lizard** *Anniella pulchra pulchra*	None/None SSC	May - September	Sandy or loose loamy soils under coastal scrub or oak trees. Soil moisture essential.	Low. Small amount of marginal habitat is present. Conditions likely too dry.	No	
3.	**Pallid Bat** *Antrozous pallidus*	None/None SSC	Spring - Summer	Rock crevices, caves, tree hollows, mines, old buildings, and bridges.	No. Habitat is not present.	No	
4.	**Golden Eagle** *Aquila chrysaetos*	None/None FP (nesting & wintering)	March 15 - August 15	Nests in large, prominent trees in valley and foothill woodland. Requires adjacent food source.	Moderate foraging potential; low nesting potential. Known to nest one mile north of site.	No	
5.	**Burrowing Owl** *Athene cunicularia*	None/None SSC (burrows and some wintering sites)	March 15 - August 15	Burrows in squirrel holes in open habitats with low vegetation.	Low. Appropriate habitat is present however nearest records are in Camp Roberts (10 miles) and no sign of species detected during visit.	No	

	Common and Scientific Names	Fed/State Status CDFW Rank	Nesting/ Breeding Period	Habitat Preference	Potential to Occur	Detected Within Study Area?	Effect of Proposed Activity
6.	**Vernal Pool Fairy Shrimp** *Branchinecta lynchi*	FT/None SA	Rainy Season	Clear water sandstone depression pools, grassed swale, earth slump, or basalt flow depression pools.	Low. Wetland habitat is marginal due to flow through swale. Isolated from nearby occurrences.	No	
7.	**Ferruginous Hawk** *Buteo regalis*	None/None WL (Wintering)	October - April	Winters locally in open grassland or savannah habitats. More common in interior SLO County than coast.	Moderate winter foraging potential.	No	
8.	**Townsend's Big-eared Bat** *Corynorhinus townsendii*	None/Cand. CT SSC	Spring - Summer	Caves, buildings, and mine tunnels. Cave like attics as day roosts. On coast roosts are normally within 100 m. of creeks.	No. Habitat is not present.	No	
9.	**Western Pond Turtle** *Emys marmorata*	None/None SSC	April - August	Permanent or semi-permanent streams, ponds, lakes.	No. Habitat is not present.	No	
10.	**California Horned Lark** *Eremophila alpestris actia*	None/None WL	March 15 - August 15	Nests on the ground in open habitats. More common in the interior.	Low. Species not observed during site visits. Nearest nesting records 14 miles north.	No	
11.	**Prairie Falcon** *Falco mexicanus*	None/None WL (nesting)	March 15 - August 15	Inhabits dry, open terrain. Nests on cliffs near open areas for hunting.	No (nesting); moderate (foraging). Appropriate nesting habitat is not present.	No	

	Common and Scientific Names	Fed/State Status CDFW Rank	Nesting/ Breeding Period	Habitat Preference	Potential to Occur	Detected Within Study Area?	Effect of Proposed Activity
12.	**Bald Eagle** *Haliaeetus leucocephalus*	None/CE FP (nesting & wintering)	March 15 - August 15	Nests within 1 mile of water in tall live tree with open branches.	No (nesting); low (foraging). Appropriate nesting habitat is not present. Nearest nesting record is 12 miles northwest.	No	
13.	**San Joaquin Whipsnake** *Masticophis flagellum ruddocki*	None/None SSC	May	Open, dry, treeless areas, including grasslands and saltbush scrub; takes refuge in burrows and under shaded vegetation	Low. Habitat at site contains few areas for refuge. No record of the species within 5 miles.	No	
14.	**Monterey Dusky-footed Woodrat** *Neotoma macrotis luciana*	None/None SSC	n/a	Variety of habitats with moderate to dense understory vegetation	No. Appropriate habitat is not present and so sign of the species was seen at the site.	No	
15.	**Salinas Pocket Mouse** *Perognathus inornatus psammophilus*	None/None SSC	n/a	Annual grassland and desert shrub in Salinas Valley, with friable soils	Low. No appropriate-sized mammal burrows observed at site. No record of the species within 5 miles.	No	
16.	**Coast Horned Lizard** *Phrynosoma blainvillii*	None/None SSC	May - September	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes.	Low. Habitat is marginal with no sandy washes or low scattered bushes.	No	

	Common and Scientific Names	Fed/State Status CDFW Rank	Nesting/ Breeding Period	Habitat Preference	Potential to Occur	Detected Within Study Area?	Effect of Proposed Activity
17.	**California Red-legged Frog** *Rana draytonii*	FT/None SSC	January - September	Lowlands and foothills in or near sources of deep water with dense, shrubby or emergent riparian vegetation. Requires 11-20 weeks for larval development.	No. Aquatic habitat is not present and species is not known to occur within 5 miles of site.	No	
18.	**Western Spadefoot** *Spea hammondii*	None/None SSC	January – May	Vernal pools in grassland and woodland habitats	Low. Marginal quality breeding habitat may be present in wetland area on site; however egg masses or tadpoles would likely have been observed during site visits. Additionally, horses actively disturb wetland.	No	
19.	**Coast Range Newt** *Taricha torosa*	None/None SSC	December - May	Slow moving streams, ponds, and lakes with surrounding evergreen/oak forests along coast.	No. Habitat is not present. Single record in 9 quad search, located 13 miles east of site.	No	
20.	**American Badger** *Taxidea taxus*	None/None SSC	February – May	Needs friable soils in open ground with abundant food source such as California ground squirrels.	Moderate. Appropriate habitat and food source present. No evidence of species detected during site survey. No record of species within 5 miles.	No	

	Common and Scientific Names	Fed/State Status CDFW Rank	Nesting/ Breeding Period	Habitat Preference	Potential to Occur	Detected Within Study Area?	Effect of Proposed Activity
21.	**Least Bell's Vireo** *Vireo bellii pusillus*	FE/CE (nesting)	March 15 - August 15	Riparian habitat, near water or dry streambed, <2000 ft. Nests in willows, mesquite, Baccharis.	No. Habitat is not present. Species is known to nest within 2 miles of project; however habitat is not present at or adjacent to site.	No	
22.	**San Joaquin Kit Fox** *Vulpes macrotis mutica*	FE/CT	December – July	Annual grasslands or grassy open stages with scattered shrubby vegetation. Needs loose textured sandy soil and prey base.	Low. Potential to forage but denning unlikely. Food source is present but not abundant. No evidence of species detected during site survey. Records within 5 miles are from 1990.	No	

Habitat characteristics are from the Jepson Manual and the CDNNB.
*not listed in the CNDDB or CNPS for the search area, but possibly for the location.

Abbreviations:

FE: Federally Endangered
FT: Federally Threatened
PE: Proposed Federally Endangered
PT: Proposed Federally Threatened
CE: California Endangered
CT: California Threatened
Cand. CE: Candidate for California Endangered
Cand. CT: Candidate for California Threatened
SSC: CDFW Species of Special Concern
FP: CDFW Fully-Protected
WL: CDFW Watch List

Vascular Plant List

Vascular Plant List

TABLE 3. PLANT LIST. The 40 species of vascular plants identified in the Study Area consist of 18 native species and 22 planted or introduced non-native species. The vascular plant list is separated into general life form categories, within which the taxa are listed alphabetically by scientific name. (subsp. = subspecies; var. = variety)

Scientific Name	Common Name	Family	Status	Origin	Notes and Collection Info
Dicotyledons – 33 Species					
Acmispon brachycarpus	Short podded lotus	Fabaceae	None	Native	Annual
Amsinckia menziesii	Common fiddleneck	Boraginaceae	None	Native	Annual
Asclepias fascicularis	Narrow-leaf milkweed	Apocynaceae	None	Native	Perennial
Calandrinia ciliata	Red maids	Montiaceae	None	Native	Annual
Callitriche marginata	California water starwort	Plantaginaceae	None	Native	Annual, wetland
Capsella bursa-pastoris	Shepherd's purse	Brassicaceae	None	Non-native	Annual
Castilleja attenuata	Valley tassels	Orobanchaceae	None	Native	Annual
Caulanthus lasiophyllus	California mustard	Brassicaceae	None	Native	Annual/perennial
Centaurea melitensis	Tocalote	Asteraceae	None	Non-native	Annual
Claytonia perfoliata* subsp. *perfoliata	Miner's lettuce	Montiaceae	None	Native	Annual
Cotula australis	Australian cotula	Asteraceae	None	Non-native	Annual
Crassula connata	Pygmy-weed	Crassulaceae	None	Native	Annual
Cryptantha intermedia	Common cryptantha	Boraginaceae	None	Native	Annual
Deinandra kelloggii	Kellogg's tarweed	Asteraceae	None	Native	Annual
Erodium botrys	Longbill filaree	Geraniaceae	None	Non-native	Annual
Erodium cicutarium	Redstem filaree	Geraniaceae	None	Non-native	Annual
Eschscholzia californica	California poppy	Papaveraceae	None	Native	Annual (or perennial from taproot)
Euphorbia peplus	Petty spurge	Euphorbiaceae	None	Non-native	Annual
Hirschfeldia incana	Summer mustard	Brassicaceae	None	Non-native	Annual/perennial

Scientific Name	Common Name	Family	Status	Origin	Notes and Collection Info
Lepidium nitidum	Shining pepper grass	Brassicaceae	None	Native	Annual
Malva parviflora	Cheeseweed	Malvaceae	None	Non-native	Annual
Marrubium vulgare	Horehound	Lamiaceae	None	Non-native	Perennial
Matricaria discoidea	Pineapple weed	Asteraceae	None	Non-native	Annual
Medicago polymorpha	California burclover	Fabaceae	None	Non-native	Annual
Microseris douglasii* subsp. *douglasii	Douglas' silverpuffs	Asteraceae	None	Native	Annual
Plagiobothrys canescens	Valley popcorn flower	Boraginaceous	None	Native	Annual
Plagiobothrys stipitatus* var. *micranthus	Stalked popcornflower	Boraginaceae	None	Native	Annual
Quercus lobata	Valley Oak	Fagaceae	None	Native	Large tree; one individual on site
Rumex crispus	Curly dock	Polygonaceae	None	Non-native	Perennial (biennial)
***Sambucus nigra* subsp. *caerulea* [=*S. mexicana*]**	Blue elderberry	Adoxaceae	None	Native	Large shrub; one individual on site
Stellaria media	Common chickweed	Caryophyllaceae	None	Non-native	Annual
Stellaria nitens	Shining chickweed	Caryophyllaceae	None	Native	Annual
Trifolium hirtum	Rose clover	Fabaceae	None	Non-native	Annual
Vicia villosa* ssp. *varia	Winter vetch	Fabaceae	None	Non-native	Annual
Monocotyledons – 7 Species					
Avena fatua	Wild oat	Poaceae	Invasive	Non-native	Annual
Bromus diandrus	Ripgut grass	Poaceae	Invasive	Non-native	Annual
Bromus madritensis* subsp. *rubens	Red brome	Poaceae	Invasive	Non-native	Annual
Dichelostemma capitatum	Blue dicks	Themidaceae	Native	Native	Perennial
Festuca myuros	Rattail sixweeks grass	Poaceae	Invasive	Non-native	Annual
Hordeum marinum* subsp. *gussoneanum	Mediterranean barley	Poaceae	Invasive	Non-native	Annual
Poa annua	Annual blue grass	Poaceae	None	Non-native	Annual

USACE Routine Wetland Determination Data Forms

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Coso Pass City/County: Pana Valley Sampling Date: 3/24/16
Applicant/Owner: State: CA Sampling Point: 1
Investigator(s): LD Althouse, Liz Grulich, Pat Mat Section, Township, Range:
Landform (hillslope, terrace, etc.): swale Local relief (concave, convex, none): Slope (%): <2
Subregion (LRR): Lat: 35.639612 Long: -120.654473 Datum: WGS84
Soil Map Unit Name: San Ysidro Loam 0-2% NWI classification:
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes X No
Hydric Soil Present? Yes X No
Wetland Hydrology Present? Yes X No
Is the Sampled Area within a Wetland? Yes X No

Remarks:

VEGETATION – Use scientific names of plants.

	Absolute % Cover	Dominant Species?	Indicator Status
Tree Stratum (Plot size:)			
1.			
2.			
3.			
4.			
	= Total Cover		
Sapling/Shrub Stratum (Plot size:)			
1.			
2.			
3.			
4.			
5.			
	= Total Cover		
Herb Stratum (Plot size: 5x5 ft)			
1. Juncus ~~effusus~~ bufonius	25		FACW
2. Plagiobothrys stipitatus	5		FACW
3. Eriogonum vimineum (not in flower)	1		FACW
4. Callitriche marginata	10		OBL
5. Epilobium ciliatum	10		UPL
6. Rumex crispus	5		FAC
7.			
8.			
	56 = Total Cover		
Woody Vine Stratum (Plot size:)			
1.			
2.			
	= Total Cover		

% Bare Ground in Herb Stratum 40 % Cover of Biotic Crust

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)
Total Number of Dominant Species Across All Strata: 3 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 67% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	10	x 1 =	10
FACW species	31	x 2 =	62
FAC species	0	x 3 =	
FACU species	0	x 4 =	
UPL species	10	x 5 =	50
Column Totals:	51 (A)		122 (B)

Prevalence Index = B/A = 2.4

Hydrophytic Vegetation Indicators:
___ Dominance Test is >50%
✓ Prevalence Index is ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ✓ No

Remarks:
algal mats is drying pockets ~ 60%
Rumex crispus growing up through sediment

SOIL

Sampling Point: 1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4.5	10YR 3/1	95	10YR 3/3	5	RM	M	CL	oxidized rhizosphere
4.5-8	10YR 4/1	100					SCL	gravel
8-18	10YR 5/1	100					SCL	gravel
0-1	10YR 4/1	90						muck on top of liner

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- X 1 cm Muck (A9) (LRR D)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (LRR C)
- ___ 2 cm Muck (A10) (LRR B)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ✓ No ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- X Surface Water (A1)
- ___ High Water Table (A2)
- X Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- X Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- X Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- X Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes X No ___ Depth (inches): 0.5

Water Table Present? Yes ___ No ___ Depth (inches): ___

Saturation Present? (includes capillary fringe) Yes X No ___ Depth (inches): ___

Wetland Hydrology Present? Yes X No ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Wetland patch ~200 ft² 5m wide swale feature surrounded by grazed grassland.

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Cave Paso City/County: Paso Robles Sampling Date: 3/21/16
Applicant/Owner: State: CA Sampling Point: 1H
Investigator(s): LD Althouse, Liz Grisby, Pat Moore Section, Township, Range:
Landform (hillslope, terrace, etc.): Local relief (concave, convex, none): Slope (%): 2-2%
Subregion (LRR): Lat: 35.639608 Long: -120.654393 Datum: WGS84
Soil Map Unit Name: Sandy Loam 0-2% NWI classification:
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	Is the Sampled Area within a Wetland? Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:

VEGETATION – Use scientific names of plants.

	Absolute % Cover	Dominant Species?	Indicator Status
Tree Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
	____ = Total Cover		
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____ = Total Cover		
Herb Stratum (Plot size: ____)			
1. Erodium cicutarium	85		NL
2. Festuca myuros	10		FACU
3. Bromus rubens	1		NL
4. (col) Cryptantha intermedia	1		NL
5. (col) Castilleja attenuata	<1		NL
6.			
7.			
8.			
	97 = Total Cover		
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____ = Total Cover		

% Bare Ground in Herb Stratum <5 % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: ____ (A)
Total Number of Dominant Species Across All Strata: ____ (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: ____ (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species ____	x 1 = ____
FACW species ____	x 2 = ____
FAC species ____	x 3 = ____
FACU species ____	x 4 = ____
UPL species ____	x 5 = ____
Column Totals: ____ (A)	____ (B)

Prevalence Index = B/A = ____

Hydrophytic Vegetation Indicators:
___ Dominance Test is >50%
___ Prevalence Index is ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:
Upland species dominate
NL = not listed in Arid West Wetland Indicator Plant List.

SOIL

Sampling Point: 1A

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6	10YR 4/1	100	—				L	ab fine roots
6-12	10YR 4/1	100					CL	
12-18	10YR 4/1	100	—				CL	gravel > 30%

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No X

Remarks:

Dry soil pit

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) (**Nonriverine**)
- ___ Sediment Deposits (B2) (**Nonriverine**)
- ___ Drift Deposits (B3) (**Nonriverine**)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) (**Riverine**)
- ___ Sediment Deposits (B2) (**Riverine**)
- ___ Drift Deposits (B3) (**Riverine**)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No _____ Depth (inches): _____

Water Table Present? Yes _____ No _____ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No _____ Depth (inches): _____

Wetland Hydrology Present? Yes _____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Abin ground squirrel burrows nearby.

Attachment 4
Draft Resolution B

DRAFT RESOLUTION PC 17-xxx

A RESOLUTION OF THE CITY OF EL PASO DE ROBLES PLANNING COMMISSION APPROVING PLANNED DEVELOPMENT 16-002 AND CONDITIONAL USE PERMIT 17-004

(CASE, PASO LLC – 2121 ARDMORE ROAD)

WHEREAS, Case Paso LLC has submitted applications for Planned Development 16-002 and Conditional Use Permit (CUP) 17-004, requesting to grade a portion of a lager parcel to create a 4.1-acre outdoor storage yard; and

WHEREAS, the project is located at 2121 Ardmore Road; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared for the project; and

WHEREAS, based on the information and analysis contained in the Initial Study, staff determined that the proposed project as designed, and with appropriate mitigation measures added as conditions of approval, will not result in significant environmental impacts, and a Mitigated Negative Declaration was prepared and circulated for public review and comment in full compliance with CEQA; and

WHEREAS, a duly noticed public hearing was conducted by the Planning Commission on June 13, 2017, on this project to accept public testimony on the Mitigated Negative Declaration and the proposed project; and

WHEREAS, a resolution was adopted by the Planning Commission recommending to the City Council approval of a Mitigated Negative Declaration status for this project, and a Mitigated Negative Declaration was prepared for the proposed Planned Development application in accordance with the California Environmental Quality Act; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

Section 2 - Findings: 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:

1. The project is consistent with the goals and policies established by the General Plan and Zoning Ordinance, since the project would provide for areas for commercial service and light-industrial uses, such as contracted services, building and landscape materials sales which typically would have outdoor storage areas.

2. 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, as a result of the landscape screening, and decorative quality fencing and wall materials; and

3. The proposed development plan accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the gateways to the City, scenic corridors; and the public right-of-way; based on the mixture of quality materials and landscaping, and

4. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts; 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

Section 3. Recommendation. The Planning Commission of the City of El Paso de Robles does hereby approve of Planned Development 16-002 and Conditional Use Permit 17-004, subject to the following conditions

1. Exhibit A-1: Project Specific Conditions of Approval,
2. Exhibit A-2: Standard Conditions of Approval,
3. Exhibits B-R: Plans and Exhibits

PASSED AND ADOPTED THIS 13th day of June, 2017 by the following Roll Call Vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
John Donaldson, Chairperson

ATTEST:

_____
Warren Frace, Secretary of the Planning Commission

Exhibit A: Conditions of Approval

Planning Division Conditions:

4. This project shall comply with the checked standard Conditions of Approval, attached hereto as Exhibit "A-2" and incorporated herein by reference.

   NOTE: In the event of conflict or duplication between standard and site-specific conditions, the site-specific condition shall supersede the standard condition.

5. 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:

EXHIBITS	DESCRIPTION
A-2.	Standard Conditions of Approval (Refer to Ex. A of Reso. B – Tract Res.)
B.	Title Sheet
C.	Preliminary Grading and Drainage Plan
D.	Sections – Wall Profiles
E.	Preliminary Landscape Plan

6. PD 16-002 and CUP 17-004 allows for the development and operation of an outdoor storage yard, including the grading and retaining wall/fence installation to establish a 4.1 acre outdoor storage yard area. The project shall be designed and constructed to be in substantial conformance with Exhibits A-E, listed above and approved with this resolution.

7. Approval of this project is valid for a period of two (2) years from date of approval. Unless construction permits have been issued and site work has begun, the approval of Planned Development 16-002 and Conditional Use Permit 17-004 shall expire on June 13, 2019. The Planning Commission may extend this expiration date if a Time Extension application has been filed with the City along with the fees before the expiration date.

8. Prior to the issuance of a grading permit, the Development Review Committee (DRC) shall review the final site plans, landscape and irrigation plans showing the following information:

   a) The addition of 5-feet of landscaping between the property line and the retaining walls, along the northern and eastern property boundaries;
   b) The addition of 5-feet of landscaping between the top of the retaining walls and the screen fencing;
   c) Any exterior lighting to insure proper shielding;

Engineering Division Conditions:

9. Prior to final grading approval, the applicant shall construct the remaining unimproved portions of Ardmore Road to the eastern property line in accordance with plans approved by the City Engineer. The Applicant's plans must be coordinated with neighboring development to ensure proper alignment and construction.

10. The applicant shall connect to sewer when it is available in Ardmore Road or as part of future development plans.

11. Prior to occupancy, overhead utilities on the west boundary of the property shall be relocated underground.

12. Grading for the project shall include low impact development best management practices and storm water infiltration devices.

Mitigation Measures:

BR-1. Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of Paso Robles, Community Development Department (see contact information below) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 12.3 acres (4.1 acres disturbed area multiplied by 3 as a result of an applied 3:1 mitigation ratio) of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Wildlife and the City. This mitigation alternative (a.) requires that all aspects if this program must be in place before City permit issuance or initiation of any ground disturbing activities.

b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.
Mitigation alternative (b) above can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the CDFW and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy," would total: $30,750 (4 acres multiplied by 3:1 ratio = 12.3 multiplied by $2,500)

This fee is calculated based on the current cost-per-unit of $2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the CDFW provides written notification about your mitigation options but prior to City permit issuance and initiation of any ground disturbing activities.

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

Mitigation alternative (c) above can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total:
$30,750 (12.3 multiplied by $2,500)

This fee is calculated based on the current cost-per-credit of $2,500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to City permit issuance and initiation of any ground disturbing activities.

BR-2. Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:

Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre-activity (i.e. preconstruction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.

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

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

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

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

- Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
  Potential kit fox den: 50 feet
  Known or active kit fox den: 100 feet
  Kit fox pupping den: 150 feet
- All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
- If kit foxes or known or potential kit fox dens are found on site, daily monitoring by a qualified biologist shall be required during ground disturbing activities.

BR-3. Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate the following as a note on the project plans: "Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.

BR-4. During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the City, during which additional kit fox mitigation measures may be required.

BR-5. Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

BR-6. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

BR-7. During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped.

BR-8. During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

BR-9. Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.

BR-10. During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFW by telephone. In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to CDFW for care, analysis, or disposition.

BR-11. Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

i. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches.
ii. If a more solid wire mesh fence is used, 8 by 12 inch openings near the ground shall be provided every 100 yards
iii. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

BR-12. Wetland Habitat. Impacts to the 175-square foot wetland feature are under the jurisdiction of the Regional Water Quality Control Board (RWQCB) as a Water of the State of California. The project proponent shall submit a Notice of Intent to enroll under the General Waste Discharge Requirements (WDR) for Non-Federal Jurisdictional Waters (Order No. 2004-0004-DWQ) for permanent impacts to the wetland feature. As part of the WDR, the project proponent will propose compensatory mitigation for permanent impacts to the wetland, as outlined in the Mitigation Plan section of the WDR notice.

EXHIBIT A-2

CITY OF EL PASO DE ROBLES
STANDARD DEVELOPMENT CONDITIONS

☒ Planned Development ☒ Conditional Use Permit

☐ Tentative Parcel Map ☐ Tentative Tract Map

Approval Body: PC Date of Approval: June 13, 2017

Applicant: Case Paso, LLC Location: 2121 Ardmore Road

APN: 025-362-038

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 June 13, 2019 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 **(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 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: See PD 12-006 Amend. Res._____

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:

_____

_____.

(Adopted by Planning Commission Resolution _____)

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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 Strom 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:

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.

(Adopted by Planning Commission Resolution _____)

☒ 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.

(Adopted by Planning Commission Resolution _____)

Exhibit - B

Conditional Use Permit

for 2121 Ardmore Road, Paso Robles, CA

General Notes

1. No construction shall be started without plans approved by the City. Any construction performed without approved plans will be rejected and will be at the Contractor's and/or owner's risk.
2. All construction work and installations shall conform to the City of Paso Robles Standard Details & Specifications.
3. The project owner and contractor shall be responsible for providing and/or maintaining all weather access at all times to existing properties located in the vicinity of work. Additionally, they shall be responsible for maintaining all existing services, including utility, garbage collection, mail distribution, etc, to all existing properties located in the vicinity of work.
4. On-site hazards to public safety shall be shielded by construction fencing. Fencing shall be maintained by the project owner and contractor until such time that the project is completed and occupied, potential hazards have been mitigated, or alternative protective measures have been installed.
5. Construction Contractor agrees that in accordance with generally accepted construction practices, Construction Contractor will be required to assume sole and complete responsibility for job site conditions during the course of construction for the project, including safety of all persons and property, that this requirement shall be made to apply continuously and not be limited to normal working hours, and Construction Contractor further agrees to defend, indemnify and hold Design Professional harmless from any and all liability, real or alleged, in connection with the performance of work on this project, excepting liability arising from the sole negligence of Design Professional.
6. Offsite grading or other construction work is not permitted without prior written permission of the offsite property owner.

   Construction Contractor agrees that he/she shall assume sole and complete responsibility for protection of public and private property adjacent to the job site and that he/she shall, at his/her expense, repair or replace to original condition all existing improvements within or adjacent to the job side which are not designated for removal and which are damaged or removed as a result of his/her operation.
7. Roadway compaction tests shall be made on subgrade material, aggregate base material, and material as specified by the Engineer. Said tests shall be made prior to the placement of the next material lift.
8. Subgrade material shall be compacted to a relative compaction of 95% in the zone between finished subgrade elevation and a minimum of one foot below. All material in fill sections below the zone mentioned above shall be compacted to 90% relative compaction.
9. All base materials and asphalt shall be in conformance with current Caltrans Specifications.
10. An effort has been made to define the location of underground facilities within the job site. However, all existing utility and other underground structures may note be shown on this plan and their location where shown is approximate. Construction Contractor agrees that he/she shall assume sole and complete responsibility for locating or having located all underground utilities and other facilities and for protecting same during course of construction of the project.
11. Construction Contractor shall contact Underground Service Alert at (800) 227-2600 at least 48 hours before beginning excavation and shall verify the location of any known utilities and whether or not a representative of each company will be present during excavation.
12. A City Encroachment Permit is required for all work done within the City right-of-way. The Encroachment Permit may establish additional utility and traffic control requirements.
13. The structural section shall be based on soils tests taken at the time of construction and using a Traffic Index of 5.0.
14. Hydroseeding or other permanent erosion control shall be placed and established with 90% coverage on all disturbed surfaces (other than paved or gravel surfaces) prior to the final inspection.
15. Earthwork estimate:

   Cut: 14,850 cubic yards   Fill: 14,080 cubic yards

   Note: Earthwork quantities are based on the difference between existing ground surface and proposed finish grades, as shown on the plan. Exact shrinkage, consolidation, and subsidence factors and losses due to clearing operations are not included. Contractor shall make his/her own site visit and quantity take-off and shall bid accordingly.
16. Site disturbance estimate: 3.85 acres, not including public improvements.

Grading Notes

1. All grading construction shall conform to the currently adopted California Building Code & the recommendations and requirements of the Soils Engineering Report No. SL-16651-SA, dated December 7, 2011.
2. Dust control is to be maintained at all times during construction.
3. Areas of fill shall be scarified, benched and recompacted prior to replacing fill and observed by the Soils Engineer.
4. Fill material will be recompacted to 90% of maximum density.
5. Remove any deleterious material encountered before placing fill.
6. No cut or fill slopes will be constructed steeper than two horizontal to one vertical (2:1).
7. All disturbed area shall be hydro seeded or planted with approved erosion control vegetation as soon as practical after construction is complete.
8. Minimum setback to creeks and bluffs shall be maintained. Minimum setback of two feet from all property lines will be maintained for all grading.
9. Minimum slope away from buildings shall be 5% for the first ten feet around perimeter, 1.5% @ flatwork.
10. Soils Engineer to determine if the soil is suitable to support the intended structure. A final report including progress and/or compaction reports shall be submitted to the field inspector prior to final inspection stating that grading performed has been observed and is in conformance with the CBC & City Ordinances. The City policy regarding pad certification shall be followed.
11. Engineering reports for cut or fill slope steeper than (2:1) shall be submitted to the field inspector.

Air Quality Control Notes

1. The following measures shall be incorporated into the construction phase of the project and shown on all applicable plans prior to issuance of construction permits. In addition, the developer shall designate personnel to insure compliance and monitor the effectiveness of the required dust control measures (as conditions dictate, monitor duties may be necessary on weekends and holidays to insure compliance); the name and telephone number of the designated monitor(s) shall be provided to the APCD prior to construction/ grading permit issuance.
   a. Reduce the amount of the disturbed area where possible;
   b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
   c. All dirt stock-pile areas should be sprayed daily as needed;
   d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
   e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established;
   f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
   g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
   h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
   i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
   j. Install Wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site, and
   k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

ENVIRONMENTAL SETTINGS:

A. THE EXISTING SITE SOIL IS STABLE AND VEGETATED WITH GRASSES AND THE TREE SHOWN. THERE ARE NO KNOWN ANIMALS ON SITE.
B. EXISTING AND PROPOSED TOPOGRAPHY OF THE SITE ARE SHOWN ON THE PRELIMINARY GRADING AND DRAINAGE PLAN.
C. THERE ARE NO STRUCTURES ON THE PROPOSED STORAGE SITE.
D. THERE ARE NO KNOWN CULTURAL, HISTORICAL OR SCENIC ASPECTS ON THE SITE.
E. THE SURROUNDING LAND USES INCLUDE RESIDENTIAL PROPERTIES TO THE NORTH AND SOUTH, A CONSTRUCTION OFFICE AND YARD WITH OUTDOOR STORAGE AS WELL AS A BUS BARN TO THE WEST AND VACANT LAND VEGETATED WITH GRASSES TO THE EAST.
F. THE RESIDENTIAL PROPERTY TO THE NORTH CONSISTS OF SINGLE STORY BUILDINGS WITH A MIN SETBACK OF APPROX 50FT FROM THE PROJECT SITE IN THE REAR YARD. THERE ARE ADDITIONAL SHED UNITS ALONG THE REAR PROPERTY LINE. THE RESIDENTIAL PROPERTY TO THE SOUTH (ACROSS ARDMORE ROAD) CONSISTS OF A SINGLE STORY BUILDING SETBACK APPROX 35FT FROM ARDMORE ROAD WITH ADDITIONAL STORAGE/SHED UNITS & OUTDOOR STORAGE IN THE REAR YARD. THE CONSTRUCTION OFFICE & YARD TO THE WEST CONSISTS OF SINGLE STORY BUILDINGS WITH SETBACKS SHOWN ON THE PRELIMINARY GRADING & DRAINAGE PLAN.
G. THERE ARE NO ONSITE OVERHEAD LINES. THE NEAREST OVERHEAD LINES ARE ACROSS ARDMORE ROAD FROM ADJACENT LOT.

Erosion Control Notes

1. Erosion control measures for wind, water, material stockpiles, and tracking shall be implemented on all projects at all times and shall include source control, including protection of stockpiles, protection of slopes, protection of all disturbed areas, protection of accesses, and perimeter containment measures. Erosion control shall be placed prior to the commencement of grading and site disturbance activities unless the Public Works Department determines temporary measures to be unnecessary based upon location, site characteristics or time of year. The intent of erosion control measures shall be to keep all generated sediments from entering a swale, drainage way, watercourse, atmosphere, or migrate onto adjacent properties or onto the public right-of-way.
2. Site inspections and appropriate maintenance of all erosion control measures/devices shall be conducted and documented at all times during construction and especially prior to, during, and after rain events.
3. The developer shall be responsible for the placement and maintenance of all erosion control measures/devices as specified by the approved plan until such time that the project is accepted as complete by the Public Works Department or until released from the Conditions of Approval of their General Permit. Erosion control measures/devices may be relocated, deleted or additional measures/devices may be required depending on the actual conditions encountered during construction. Additional erosion control measures/devices shall be placed at the discretion of the Engineer of Work, County Inspector, SWPPP Monitor, or RWQCB Inspector. Guidelines for determining appropriate erosion control devices shall be included in the plans with additional measures/devices noted from the appendix of the Public Improvement Standards.
4. Erosion control devices shall be the first order of work and shall be in place at all times during construction. Additional measures/devices shall be available during the rainy season (between October 15 and April 15) or anytime when the rain probability exceeds 30%. These measures/devices shall be available, installed, and/or applied after each area is graded and no later than five (5) working days after completion of each area.
5. The Contractor, Developer, and Engineer of Work shall be responsible to review the project site prior to October 15 (rainy season) and to coordinate an implementation plan for wet weather erosion control devices. A locally based standby crew for emergency work shall be available at all times during the rainy season (October 15 through April 15). Necessary materials shall be available and stock piled at convenient locations to facilitate rapid construction or maintenance of temporary devices when rain is imminent.
6. In the event of a failure, the developer and/or representative shall be responsible for cleanup and all associated costs or damage. In the event that damage occurs within the right-of-way and the County is required to perform cleanup, the owner shall be responsible for County reimbursement of all associated costs or damage.
7. In the event of failure and/or lack of performance by the owner and/or contractor to correct erosion control related problems the Public Works Department may revoke all active permits and recommend that County Code Enforcement provide a written notice or stop work order in accordance with Section 22.52.140 [23.10] of the Land Use Ordinance.
8. Permanent erosion control shall be placed and established with 90% coverage on all disturbed surfaces other than paved or gravel surfaces, prior to final inspection. Permanent erosion control shall be fully established prior to final acceptance. Temporary erosion control measures shall remain in place until permanent measures are established.
9. The County Air Pollution Control District (APCD) may have additional project specific erosion control requirements. The Contractor, Developer, and Engineer of Work shall be responsible for maintaining self-regulation of these requirements.
10. All projects involving site disturbance of one acre or greater shall comply with the requirements of the National Pollutant Discharge Elimination System (NPDES). The developer shall submit a Notice of intent (NOI) to comply with the General Permit for Construction Activity with the Regional Water Quality Control Board (RWQCB). The developer shall provide the County with the Waste Discharge Identification Number (WDID #) or with verification that an exemption has been granted by RWQCB.
    WDID No.: n/a .

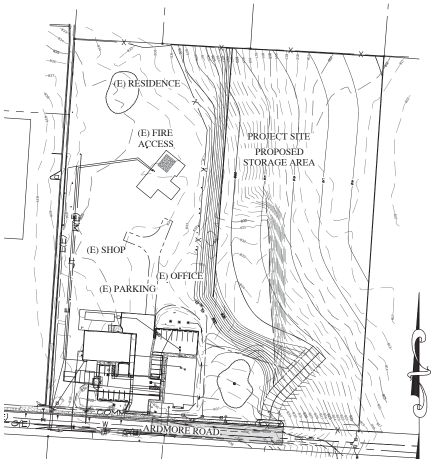
Proposed Fence

NOTE:

PROPOSED FENCE WILL MATCH EXISTING FENCE ON ADJACENT LOT.

PROJECT DESCRIPTION:

THIS APPLICATION FOR A CONDITIONAL USE PERMIT IS TO ESTABLISH AN OUTDOOR STORAGE YARD. THERE IS CURRENTLY NO PROPOSED USER - THE INTENT IS TO IMPROVE THE LOT TO ALLOW THIS TYPE OF USE.



Site Plan

SCALE: 1" = 40'-0"

Received 03/17/17 City of Paso Robles Community Development

Vicinity Map

SCALE: NTS

REGISTERED PROFESSIONAL ENGINEER KEVIN T. DEVANEY NO. 38053 Exp. 3-31-17 CIVIL STATE OF CALIFORNIA

FOR PLAN REVIEW ONLY NOT FOR CONSTRUCTION

REVISIONS	
NO.	DATE:

Conditional Use Permit for 2121 Ardmore Road, Paso Robles, CA 93446

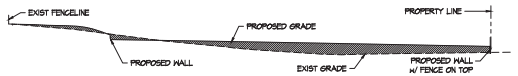
Cover Sheet

MATRIX CONSULTING ENGINEERS
1170 PACIFIC STREET
SAN LUIS OBISPO, CA 93401
PH. 805.786.4802

DATE: 16 March 2017
DRAWN BY: KEV
CHECKED BY: KTD
PROJECT NO.: 2014-36

SHEET NO. CUP1 OF 3

EXHIBIT - C

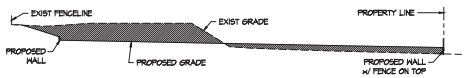


Section A

SCALE: 1" = 40'-0"

Section B

SCALE: 1" = 40'-0"



Section C

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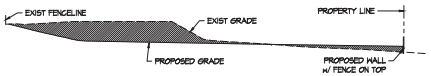


Section D

SCALE: 1" = 40'-0"

Section E

SCALE: 1" = 40'-0"

NOTES

APPROX AREA OF PROPOSED PAD (@ 2% SLOPE):
124,100 SF (2.85 ACRES)

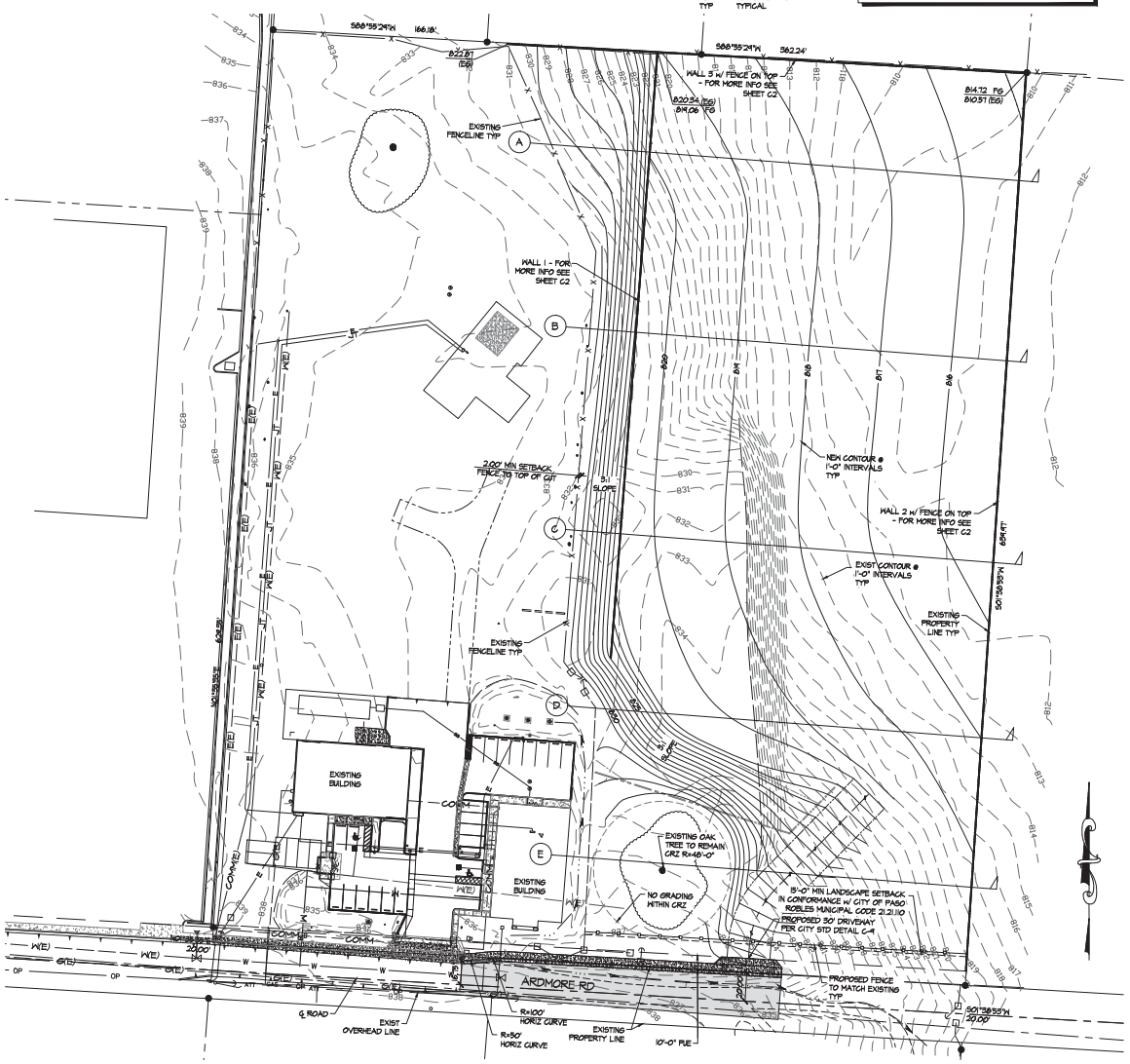
ESTIMATED EARTHWORK VOLUMES:
FILL = 14,080 CY
CUT = 14,850 CY

ABBREVIATION LEGEND:

AC	ASPHALT CONCRETE
DS	DOWNSPOUT
E	EXISTING
EG	EXISTING GRADE
FF	FINISH FLOOR
FG	FINISH GRADE
FL	FLOWLINE
FS	FINISH SURFACE
GB	GRADE BREAK
HP	HIGH POINT
INV	INVERT
RD	ROOF DOWNSPOUT
TC	TOP OF CURB
TG	TOP OF GRATE
TYP	TYPICAL

NOTES

1. The topography shown hereon is based on a planimetric survey prepared for the site by Twin Cities Surveying, Inc., July 2015.
2. Verify all building dimensions prior to construction. Notify engineer immediately of any discrepancies.
3. Compact all fill materials to 90% maximum density.
4. The outdoor storage area shall be thoroughly screened from public view and adjacent properties by a combination of walls, fences and landscaping.



Preliminary Grading & Drainage Plan

SCALE: 1" = 40'-0"

KEVIN T. DEVANEY
No. 38053
Exp. 3-31-17
CIVIL
STATE OF CALIFORNIA
REGISTERED PROFESSIONAL ENGINEER

REVISIONS

NO.	DATE:

Conditional Use Permit
for
2121 Ardmore Road, Paso Robles, CA 93446

Preliminary Grading & Drainage Plan

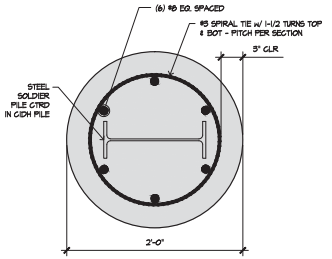
THESE DRAWINGS AND THE DESIGN REPRESENTED THEREBY ARE THE PROPERTY OF MATRIX CONSULTING ENGINEERS AND NOT PART SHALL BE COPIED OR USED IN CONNECTION WITH ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF MATRIX CONSULTING ENGINEERS

MATRIX CONSULTING ENGINEERS
1170 PACIFIC STREET
SAN LUIS OBISPO, CA 93401
PH. 805.786.4802

DATE: 16 March 2017
DRAWN BY: KEV
CHECKED BY: KTD
PROJECT NO.: 2014-36

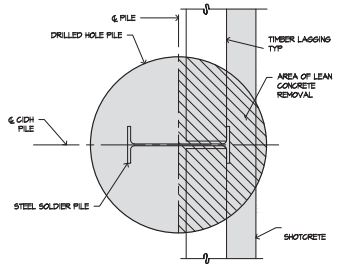
SHEET NO.
CUP2
OF 3

EXHIBIT - D



52 Section @ 24" CIDH Conc Pile

1 1/2" = 1'-0"

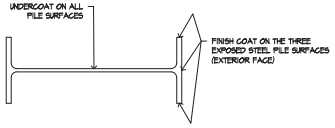


53 Pile Section

1 1/2" = 1'-0"

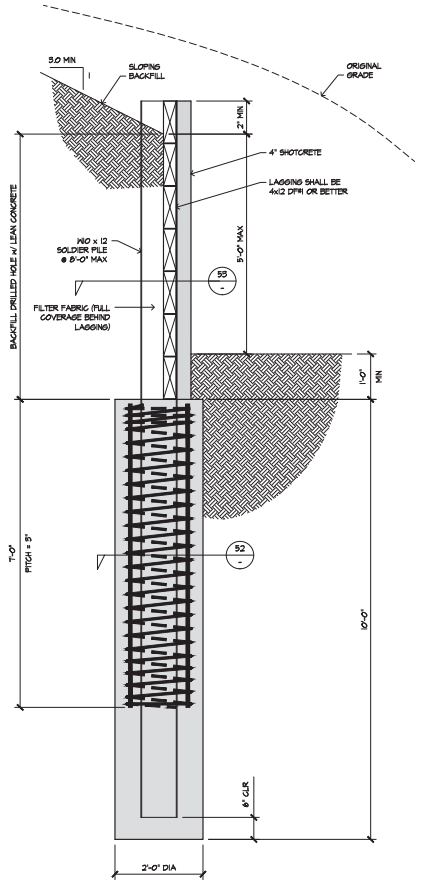
NOTES

1. Clean & paint steel soldier pile from top of pile to 5 feet min below bottom of lagging.



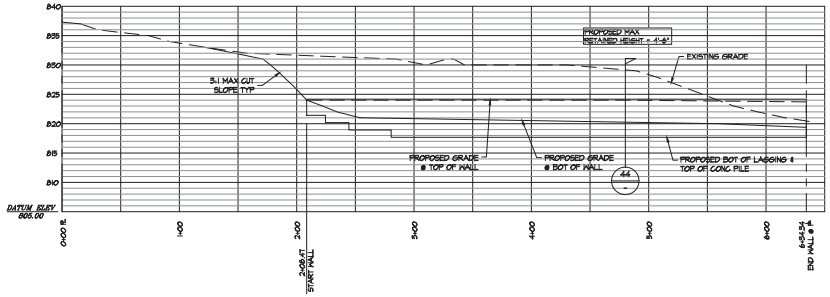
54 Cleaning & Painting of Piles

1 1/2" = 1'-0"



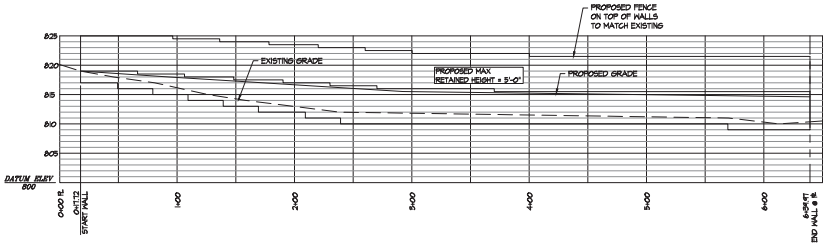
44 Typical Soldier Pile Detail

3/4" = 1'-0"



Wall 1 Profile

HORIZONTAL: 1" = 50'-0"
VERTICAL: 1"=10'-0"



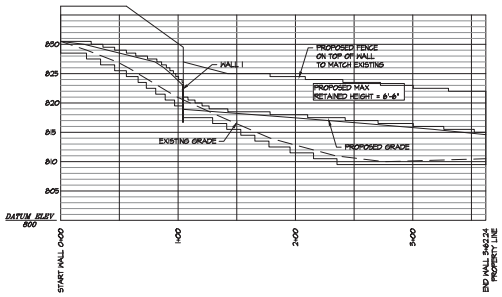
Wall 2 Profile

HORIZONTAL: 1" = 50'-0"
VERTICAL: 1"=10'-0"

RETAINING WALL NOTES

APPROX AREAS OF PROPOSED WALLS:
WALL 1 = 5,040 SF
WALL 2 = 3,250 SF
WALL 3 = 1,840 SF

TOTAL WALL AREA = 8,130 SF



Wall 3 Profile

HORIZONTAL: 1" = 50'-0"
VERTICAL: 1"=10'-0"

REGISTERED PROFESSIONAL ENGINEER
KEVIN T. DEVANEY
NO. 38053
EXP. 3-31-17
CIVIL
STATE OF CALIFORNIA

REVISIONS

NO.	DATE:

Conditional Use Permit

for

2121 Ardmore Road, Paso Robles, CA 93446

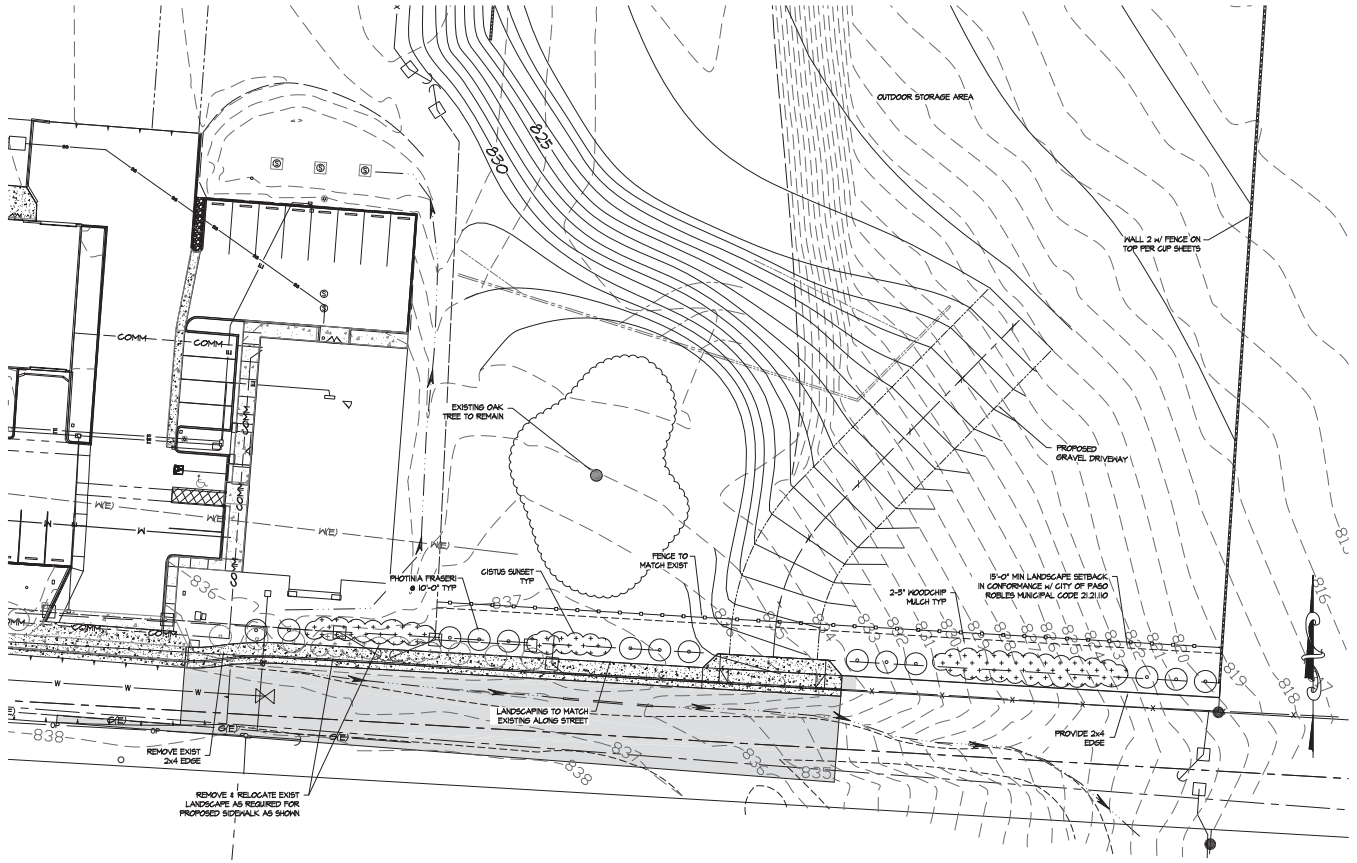
Wall Profiles & Details

MATRIX CONSULTING ENGINEERS
1170 PACIFIC STREET
SAN LUIS OBISPO, CA 93401
PH. 805.786.4802

DATE: 16 March 2017
DRAWN BY: KEV
CHECKED BY: KTD
PROJECT NO.: 2014-36

SHEET NO.
CUP3
OF 3

EXHIBIT - E



Preliminary Landscape Plan

SCALE: 1" = 20'-0"

REGISTERED PROFESSIONAL ENGINEER
KEVIN T. DEVANEY
NO. 38058
Exp. 3-31-17
CIVIL
STATE OF CALIFORNIA

REVISIONS

NO.	DATE:

Landscape Plan

for

2121 Ardmore Road, Paso Robles, CA. 93446

Preliminary Grading & Drainage Plan

MATRIX CONSULTING ENGINEERS
1170 PACIFIC STREET
SAN LUIS OBISPO, CA 93401
PH: 805.786.4802

DATE: 16 March 2017
DRAWN BY: KEV
CHECKED BY: KTD
PROJECT NO.: 2014-36

SHEET NO.
L1
OF 1

CITY OF EL PASO DE ROBLES
"The Pass of the Oaks"

Attachment 5

AFFIDAVIT

OF MAIL NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Monica Hollenbeck, 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 16-002 and Conditional Use Permit 17-004 on this 26th day of May, 2017.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: Monica C Hollenbeck
Monica Hollenbeck

Attachment 5

THE Newspaper of the Central Coast
TRIBUNE

3825 South Higuera • Post Office Box 112 • San Luis Obispo, California 93406-0112 • (805) 781-7800

In The Superior Court of The State of California
In and for the County of San Luis Obispo
AFFIDAVIT OF PUBLICATION

AD # 3084796
CITY OF PASO ROBLES

STATE OF CALIFORNIA
ss.
County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general Circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof – on the following dates to wit; MAY 21, 2017 that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Jane E. Durand
(Signature of Principal Clerk)
DATE: MAY 21, 2017
AD COST: $312.18

ITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARING AND
NOTICE OF INTENT TO ADOPT A MITIGATED
EGATIVE DECLARATION

NOTICE IS HEARBY GIVEN that the Planning Commission of the City of El Paso de Robles will consider adoption of a Mitigated Negative Declaration in accordance with the California Environmental Quality Act and approval of the following project:

Project Title: Planned Development PD 16-002 & Conditional Use Permit 17-004 (Case Paso, LLC)

Applicant: Case Paso, LLC

Project Location: 2121 Ardmore Road, Paso Robles, CA
APN: 025-362-008

Project Description: Request to grade an approximate 4.1-acre site to create a usable flat area for the establishment of an outdoor storage yard. There would be approximately 14,000 cubic yards of cut and fill evened out over the site.

The Public Review Period for the proposed Mitigated Negative Declaration will commence on May 24, 2017, and end at the public hearing before the Planning Commission, which is scheduled to take place on Tuesday, June 13, 2016, at the hour of 6:30 pm in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California. All interested parties may appear and be heard at this hearing.

FINDING

The City of Paso Robles has reviewed the above project in accordance with the City of Paso Robles' Rules and Procedures for the Implementation of the California Environmental quality Act and has determined that an Environmental Impact Report need not be prepared because:

☐ The proposed project will not have a significant effect on the environment.

☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures described on the attached sheet and hereby made a part of Negative Declaration have been added to the project.

The Initial Study which provides the basis for this determination is available at the City of Paso Robles, Community Development Department, 1000 Spring Street, Paso Robles, CA 93446.

NOTICE

The public is invited to provide written comment on the Draft Mitigated Negative Declaration and/or to provide oral comment at the public hearing noted above. The appropriateness of the Draft Negative Declaration will be reconsidered in light of the comments received.

Questions about and comments on the proposed project and Mitigated Negative Declaration may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or e-mailed to CDdirector@prcity.com provided that any comments are received prior to the time of the Planning Commission hearing. Should you have any questions about this project, please call Darren Nash at (805) 237-3970 or send email to dnash@pricty.com.

May 16, 2017
Darren Nash, Associate Planner
May 21, 2017 3084796