City of Paso Robles
Planning Commission Agenda Report

From: Darren Nash, Associate Planner

Subject: **Planned Development 17-005 / Conditional Use Permit 17-009 - Ravine Waterpark Overflow Parking Lot and Multi-Use Path**
2981 Union Road / APN: 025-362-014
Applicant – Ravine Waterpark
A request by the Ravine Waterpark proposing to install a multi-use path to connect the water park to an overflow parking area on the south side of State Route 46 East, 2981 Union Road.

Date: January 9, 2018

Facts:

1. The project site is located at 2981 Union Road. See Vicinity Map, Attachment 1.

2. The project consists of the following requests:

   - Establish a new overflow parking area for 96 vehicles for use by the Ravine Waterpark (Park);

   - Construct a new 20-foot wide multi-use path for pedestrians, bicycles, and an electric tram for Park visitors that would connect the proposed Union Rd. overflow parking lot (south side of the Highway 46) to the Ravine Waterpark on the north side of Highway 46. The multi-use path would be constructed underneath the Highway 46 bridge, along the eastern bank of the Huer Huero Creek. See Overall Site Plan, Attachment 2.

3. The applicants have been working with Caltrans and Regional Water Quality Control Board to obtain the necessary permits required by those jurisdictions. The first step is get the City's approval of the project along with the environmental determination.

4. An approximate 850-foot long section of the path extends along the back of the property owned by the Paso Robles Athletic Club. With the approval of the club, a condition was required for the City to obtain a 30-foot wide easement along the rear property line adjacent to Highway 46. The intent of the easement was to provide for a future trail.

5. Table 21.16.200, Permitted Land Uses in the Zoning Code, requires that approval of a Conditional Use Permit (CUP) to establish a private parking lot.

6. Section 21.22.080.C.3. provides that an exception to pave a parking lot may be approved by the Planning Commission to allow non-permanent parking lot materials such as decomposed granite or other suitable materials on a case-by-case basis for uses such as overflow parking lots.

7. Pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA, an Initial Study and Mitigated Negative Declaration (MND) 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 Mitigated Negative Declaration.

Analysis and Conclusion:

Project Summary:
With the success of the Ravine Water Park, there is a need to provide additional parking opportunities during the summer. Given the location of the Water Park situated between the highway, the river, and Airport Road, there is no room on-site for additional parking.

Providing the seasonal overflow parking area would help to reduce the current parking challenges by providing a parking area that would reduce the need for cars to use the Airport Road / Highway 46 intersection.

Easement:
As mentioned above, with the development of the Paso Robles Athletic Club property there was the requirement for the dedication of a 30-foot wide easement for a public path. Also dedicated was a 20 foot wide public easement along the common property line between the Athletic Club property and the subject Ravine property (10-feet on each property). The intent of the easements is to provide for a future trail/bike path that would provide the opportunity for bikes and pedestrians to get from the north side of Highway 46 East, to the south side down to Barney Schwartz Park.

While the Ravine Waterpark is constructing the path to accommodate parking for the Ravine Waterpark, the trail/path will be established for the future public use, along with the required environmental clearance and encroachment permits from Caltrans.

Future Development:
The project includes a development plan and conditional use permit for the development and operation of the overflow parking lot. No additional development of the site is being proposed at this time. Any future development of the property requires a new development plan and conditional use permit.

Environmental Review / Agency Permits:
A Mitigated Negative Declaration (MND) is being processed with this project. Potential environmental impacts were identified with the development of this project including the requirement for Kit Fox mitigation, Oak Tree protection, and habitat protection.

Prior to the issuance of a grading permit for the path, the applicants will need to obtain the necessary encroachment permit from Caltrans, and permits from the Regional Water Quality Control Board. In order to proceed with the permitting process with these agencies, it is necessary for the City to approve the entitlements for the project along with the MND.

General Plan / Zoning Consistency:
The Zoning Code allows for the establishment of overflow private parking lots with the approval by the Planning Commission. Given the location of the parking lot on this site, with no neighbors in close proximity of the parking lot, the all-weather parking surface seems reasonable.

The establishment of the multi-use path underneath the highway bridge allowing for the construction of a path that would connect properties on the north and south side of the highway south to Union Road and Barney Schwartz Park is consistent with the General Plan and Draft Bike Master Plan.

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 Project.

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 3);

2. Adopt the attached Resolution B. approving Planned Development 17-005 and Conditional Use Permit (CUP) 17-009 allowing for the development and operation of the multi-use path and overflow parking lot for the Ravine Water Park, subject to standard and site specific conditions and encroachment permits (Attachment 4);

b. Amend the above-listed action.

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

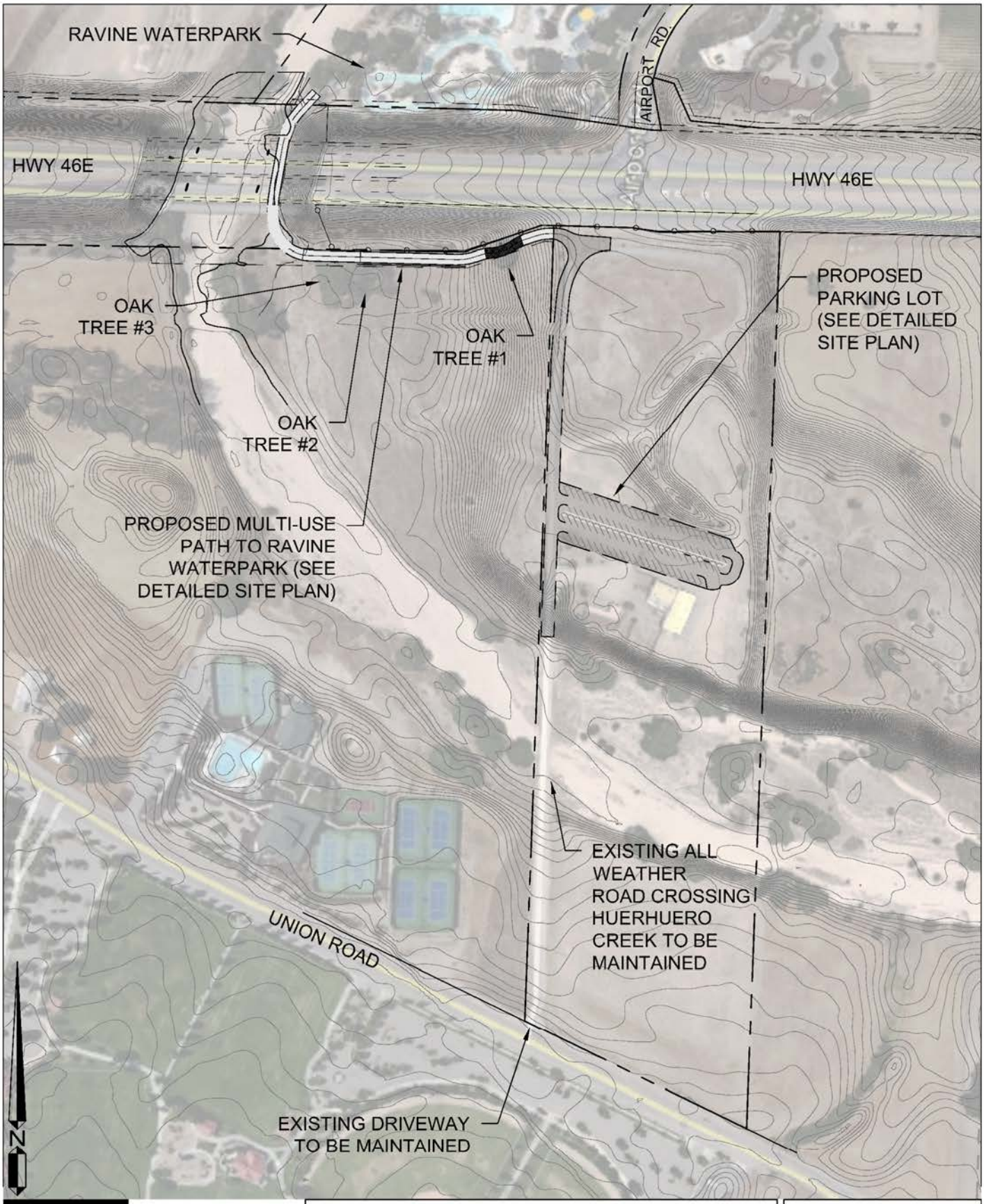
d. Make findings to deny applications.

Attachments:

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

ATTACHMENT 1 - VICINITY MAP

ATTACHMENT 2 -
OVERALL SITE PLAN



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OVERALL PROJECT CONCEPT PLAN
RAVINE WATERPARK
FIGURE 1

JOB No. :	1336-001
DRAWING :	RAVINE PARKING
DRAWN BY:	SJ
DATE :	5-26-17
SCALE :	1" = 250'

Attachment 3
Draft Resolution A

RESOLUTION NO. PC 18-XXX
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO ADOPT A MITIGATED NEGATIVE DELCARATION
AND MITIGATION MONITORING AND REPORTING PROGRAM
FOR RAVINE WATERPARK MULTI-USE PATH AND OVERFLOW PARKING LOT PROJECT
(PLANNED DEVELOPMENT 17-005
& CONDITIONAL USE PERMIT 17-009)
APN: 025-362-014

WHEREAS, an application for Planned Development (PD 17-005) and Conditional Use Permit (CUP 17-009), has been filed by Rob Miller of Wallace Group, on behalf of the Ravine Waterpark, LLC; and

WHEREAS, the project consists of the following requests:

- Establish a new overflow parking area for 96 vehicles for use by the Ravine Waterpark;

- Construct a new 20-foot wide multi-use path for pedestrians, bicycles, and an electric tram for Park visitors that would connect the overflow parking lot on the south side of the Highway 46 to the Ravine Waterpark on the north side of Highway 46, by constructing the path underneath the Highway 46 bridge, along the Huer Huero Creek; and

WHEREAS, Table 21.16.200, Permitted Land Uses in the Zoning Code, requires that approval of a Conditional Use Permit (CUP) to establish a private parking lot; and

WHEREAS, Section 21.22.080.C.3. provides that an exception to pave a parking lot may be approved by the Planning Commission to allow non-permanent parking lot materials such as decomposed granite or other suitable materials on a case-by-case basis for uses such as overflow parking lots; and

WHEREAS, the project is consistent with the applicable policy and regulatory documents of the City, including the following:

- General Plan Commercial Service land use designation – The project would provide the establishment of the multi-use path underneath the Highway 46 East bridge at Airport Road, allowing for the construction of a path that would connect properties on the north and south side of the highway south to Union Road and Barney Schwartz Park, consistent with the General Plan and Draft Bike Master Plan; and

- Zoning District of Commercial/Light Industrial– The project is a "*permitted*" use in the C3 district; 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 30-day public review period beginning on December 11, 2017 through January 9, 2018. Public comments were received on the MND prior to the Planning Commission meeting and addressed during the hearing. A copy of the Draft MND/Initial Study is included in Exhibit B (Attachment 5 of the project staff report) of this Resolution, and it is on file at the Paso Robles Community Development Department; and

Attachment 3
Draft Resolution A

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: aesthetic resources and biological 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 A, "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

WHEREAS, a public hearing was conducted by the Planning Commission on January 9, 2018 to consider the Initial Study and the Draft MND prepared for the proposed project, and to accept public testimony on the Planned Development and environmental determination. At the close of this public hearing, the Planning Commission adopted the MND approving 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.

Attachment 3
Draft Resolution A

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission of the City of El Paso de Robles, based on its independent judgment and analysis, has adopted the Mitigated Negative Declaration (Exhibit B) for the Ravine Waterpark Multi-use Path and Overflow Parking Lot project and adopted a Mitigation Monitoring and Reporting Program (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 9th day of January 2018, 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 – Mitigation Monitoring and Reporting Program
B. Exhibit B – Mitigated Negative Declaration / Initial Study (refer to Attachment 8 of the Planning Commission staff report)

Exhibit A

Mitigation Monitoring and Reporting Plan

Project File No./Name: PD 17-005 – **Ravine Waterpark Tramway and Overflow Parking Lot (2981 Union Road)**
Approving Resolution No.: Resolution No. 18-XXX by: ☒ Planning Commission ☐ City Council Date: January 9, 2018

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 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
BR-1. To avoid impacts to biological resources within the proposed project area, the boundaries of the construction zone shall be clearly delinated to prevent equipment or vehicles from entering the open space area. Orange construction fencing or stakes shall be placed at the limits of construction and shall be maintained in good condition throughout the construction phases of the project.	Project	CDD			Prior to issuance of building permits.
BR-2. To mitigate for reduction of sandy riparian habitat, a combination of native riparian species that occur in the flood plain of the subject reach of the Huer Huero Creek will be selected for restoration planting. Species such as mule fat (baccharis salicifolia), wild tarragon (Artemisia dracunculus), coyote bush (Baccharis Pilularis) and two valley oak trees will be planted on within a 0.26 acre area near the tram trail. A total of 50 shrubs will be arranged in groups thre to four in 14 groups spaced 20-feet on center. Individual shrubs will be planted in week mats, and mulched 2-feet from trunk. Patches of herbaceous and grassland vegetation will remain between patches.	Project, ongoing	CDD		Notes to be shown on grading plans and construction documents	Prior to site disturbance.

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
The mitigation plantings will be temporarily irrigated for 3 years, and wened off of summer water during years 4 and 5. Mitigation plantings will be weeded and maintained for 5 years . Noxious weeds will be removed. Weeds to be removed include yellow starthistle and tree-of-heaven where it occurs in the mitigation area. If sufficient appropriate grassland riparian habitat is not available on property owned by Ravine or its easement, and if alternative mitigation is acceptable to CDFW and the RWQCB, owners of the Ravine may negotiate an in lieu payment with the Upper-Salinas Las Tables Resource Conservation District and the City of Paso Robles for 0.52 acre of cottonwood riparian mitigation habitat.					
BR-3. Within one week of ground disturbance activities, if work occurs between March 1 and August 31, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activites that affect trees and grass lands shall not be conducted during the breeding season from March 1 to August 31.If construction activies must be conducted during this period, nesting bird surveys shall take place whtin one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. Construction activities shall observe a 300-foot buffer for occupied raptor nests. A 500-foot buffer shall be observed from occuplied nests of all special status species. A preconstruction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements.	Project	SLOAPCD CDD			Prior to issuance of permits for demolition of onsite structures.
BR-4. A biological monitor qualified to capture legless lizards shall rake loose soil within oak and shrub habitats prior to any ground disturbance activity to find and move legless lizards. Any silvery legless lizards found shall be moved to safe habitat outside the project area.	Project	Qualified Biologist CDD			Prior to issuance of grading permit

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
BR-5. 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 .75 acres (.25 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: $1,875 (.75 multiplied by $2,500)	Project	Qualified Biologist CDD			Prior to issuance of grading permit

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
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 .75 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: $1,875 (.75 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.					

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
BIO-6. 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 aremade 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	Project	Qualified Biologist CDD			Prior to issuance of grading permit

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work. If incidental take of kit fox during project activities is possible, before project activities commence, the applicant must consult with the USFWS. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities. iv. In addition, the qualified biologist shall implement the following measures: 1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances: ▪ Potential kit fox den: 50 feet ▪ Known or active kit fox den: 100 feet ▪ Kit fox pupping den: 150 feet 2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project- related disturbances have been terminated, and then shall be removed.					

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
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-7. 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.	On-going	CDD			Prior to issuance of grading permit
BR-8. 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	CDD			Prior to issuance of grading permit
BR-9. 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.	On-going	CDD			Prior to issuance of grading permit

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
BR-10. 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.	On-going	CDD			Prior to issuance of grading permit
BR-11. 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 issuing Certificate of Occupancy permit
BR-12. 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.	Project	Certified Arborist CDD			Prior to issuing grading permit

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
BR-13. 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	Certified Arborist CDD		Notes shown on construction documents.	Prior to issuing grading permit.
BR-14. 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		Notes shown on construction documents.	Prior to issuing grading permit.
BR-15. 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.	Project	CDD		Notes shown on construction documents.	Prior to issuing Certificate of Occupancy permit

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
BR-16. A pre-construction survey shall be conducted within thirty days of beginning work on the site to identify if badgers are using the site. 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 area of disturbance, and shall examine both old and new dens. 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 1st and February 1st all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the property during the pre-construction survey, the CDFW wildlife biologist for the area shall be contacted to review current allowable management practices that may include encouraging badgers to move offsite and/or trapping and relocation.	Project	CDD		Notes shown on construction documents.	Prior to issuing Building Permit.

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Attachment 6
Draft Resolution B

RESOLUTION NO. PC 17-XXX

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING PLANNED DEVELOPMENT 17-005 AND CONDITIONAL USE
PERMIT 17-009 FOR THE RAVINE WATERPARK MULTI-USE PATH AND
OVERFLOW PARKING LOT PROJECT

(PD 17-005 & CUP 17-009)
APN: 025-362-014

WHEREAS, an application for Planned Development (PD 17-005) and Conditional Use Permit (CUP 17-009), has been filed by Rob Miller of Wallace Group, on behalf of the Ravine Waterpark, LLC; and

WHEREAS, the project consists of the following requests:

- Establish a new overflow parking area for 96 vehicles for use by the Ravine Waterpark;

- Construct a new 20-foot wide multi-use path for pedestrians, bicycles, and an electric tram for Park visitors that would connect the overflow parking lot on the south side of the Highway 46 to the Ravine Waterpark on the north side of Highway 46, by constructing the path underneath the Highway 46 bridge, along the Huer Huero Creek; and

WHEREAS, Table 21.16.200, Permitted Land Uses in the Zoning Code, requires that approval of a Conditional Use Permit (CUP) to establish a private parking lot; and

WHEREAS, Section 21.22.080.C.3. provides that an exception to pave a parking lot may be approved by the Planning Commission to allow non-permanent parking lot materials such as decomposed granite or other suitable materials on a case-by-case basis for uses such as overflow parking lots; 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 January 9, 2018, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this conditional use permit request; 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: In accordance with Zoning Ordinance Section 21.23B.050, Findings for Approval of Development Plans, and 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:

Attachment 6
Draft Resolution B

1. The project is consistent with the goals and policies established by the General Plan and Zoning Ordinance, since the project would provide for the establishment of the multi-use path underneath the Highway 46 East bridge at Airport Road, allowing for the construction of a path that would connect properties on the north and south side of the highway south to Union Road and Barney Schwartz Park, consistent with the General Plan Circulation Element and Draft Bike Master Plan; and

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 project improving the parking related to the Ravine Waterpark; 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 by providing a well-designed project that is suitable for the location where it is proposed and surrounding land uses including commercial/light industrial in the vicinity; and

Section 3 - Environmental Determination: 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. 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.

Section 4 - Approval: Planned Development 17-005 & CUP 17-009 is approved subject to the following:

EXHIBIT	DESCRIPTION
A	Site Specific Conditions of Approval
B	Standard Conditions of Approval
C	Overall Site Plan
D	Site Plan Parking – 1
E	Site Plan Parking - 2
F	Planting Plan

Attachment 6
Draft Resolution B

PASSED AND ADOPTED THIS 9th day of January 2018, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

JOHN DONALDSON, CHAIRPERSON

ATTEST:

WARREN FRACE, PLANNING COMMISSION SECRETARY

Exhibit A

Site Specific Conditions of Approval – PD 17-005 & CUP 17-009

(Ravine Waterpark Path & Parking Lot – 2981 Union Rd.)

Planning Division Conditions:

1. The project shall be constructed in substantial conformance with the Conditions of Approval established by Resolution 18-_____and it shall be constructed in substantial conformance with the following Exhibits:

EXHIBIT	DESCRIPTION
A	Standard Conditions of Approval
B	Overall Site Plan
C	Site Plan – Parking 1
D	Site Plan – Parking 2
E	Planting Plan

2. Any condition imposed by the Planning Commission in approving this Development Plan may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the Development Plan.

3. 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 17-005 & CUP 17-009 shall expire on January 9, 2020. 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.

4. No outdoor storage of materials or equipment shall take place on the site.

5. In the event that buried or otherwise unknown cultural resources are discovered during construction work in the area of the find, work shall be suspended and the City of Paso Robles should be contacted immediately, and appropriate mitigations measures shall be developed by qualified archeologist or historian if necessary, at the developers expense.

6. Future development of the site beyond this entitlement shall be subject to the processing of a Development Plan and Conditional Use Permit as required by Chapter 21.13.030.F.

Engineering Division Conditions:

1. Prior to the use of the site as a parking lot, the applicant shall install a drive approach per Figure 205.1 in the Highway Design Manual, or another appropriate design approved by the City Engineer, on the Union Road Frontage. An eight foot wide based shoulder shall be installed and maintained along the Union Road frontage. A public improvement plan shall be submitted in order to obtain an encroachment permit concurrently with a grading permit for the site.

2. Additional frontage improvements will be required if use intensifies or changes in accordance with Planning Condition 6.

Mitigation Monitoring and Reporting Program Requirements:

AQ-1: Dust Control Measures

Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Projects with grading areas that are greater than 4-acres or are within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD's 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402):

a. Reduce the amount of the disturbed area where possible.
b. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;
c. All dirt stock pile areas should be sprayed daily and covered with tarps or other dust barriers 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, non-invasive 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 SLOAPCD.
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. Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified;

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.

l. All PM10 mitigation measures required should be shown on grading and building plans; and,

m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork or demolition.

AQ-2: Developmental Burning

Effective February 25, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County. If you have any questions regarding these requirements, contact the APCD Engineering & Compliance Division at (805) 781-5912.

AQ-3: Demolition Activities Demolition / Asbestos

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during the demolition or remodeling of existing structures or the disturbance, demolition, or relocation of above or below ground utility pipes/pipelines (e.g., transite pipes or insulation on pipes). If this project will include any of these activities, then it may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP). These requirements include, but are not limited to: 1) written notification, within at least 10 business days of activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Engineering & Compliance Division at (805) 781-5912 for further information or go to slocleanair.org/rules-regulations/asbestos.php for further information. To obtain a Notification of Demolition and Renovation form go to the "Other Forms" section of slocleanair.org/library/download-forms.php.

AQ-4 Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit.

The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD's 2012 CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generator;
- Internal combustion engines;
- Rock and pavement crushing;
- Unconfined abrasive blasting operations;
- Tub grinders;
- Trommel screens; and,
- Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc).

To minimize potential delays, prior to the start of the project, please contact the APCD Engineering & Compliance Division at (805) 781-5912 for specific information regarding permitting requirements.

Mitigation Measures – Conditions of Approval:

BR-1. To avoid impacts to biological resources within the proposed project area, the boundaries of the construction zone shall be clearly delinated to prevent equipment or vehicles from entering the open space area. Orange construction fencing or stakes shall be placed at the limits of construction and shall be maintained in good condition throughout the construction phases of the project.

BR-2. To mitigate for reduction of sandy riparian habitat, a combination of native riparian species that occur in the flood plain of the subject reach of the Huer Huero Creek will be selected for restoration planting. Species such as mule fat (baccharis salicifolia), wild tarragon (Artemisia dracunculus), coyote bush (Baccharis Pilularis) and two valley oak trees will be planted on within a 0.26 acre area near the tram trail. A total of 50 shrubs will be arranged in groups thre to four in 14 groups spaced 20-feet on center. Individual shrubs will be planted in week mats, and mulched 2-feet from trunk. Patches of herbaceous and grassland vegetation will remain between patches.
The mitigation plantings will be temporarily irrigated for 3 years, and wened off of summer water during years 4 and 5. Mitigation plantings will be weeded and maintained for 5 years . Noxious weeds will be removed. Weeds to be removed include yellow starthistle and tree-of-heaven where it occurs in the mitigation area. If sufficient appropriate grassland riparian habitat is not available on property owned by Ravine or its easement, and if alternative mitigation is acceptable to CDFW and the RWQCB, owners of the Ravine may negotiate an in lieu payment with the Upper-Salinas Las Tables Resource Conservation District and the City of Paso Robles for 0.52 acre of cottonwood riparian mitigation habitat.

BR-3. Within one week of ground disturbance activities, if work occurs between March 1 and August 31, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activites that affect trees and grass lands shall not be conducted during the breeding season from March 1 to August 31.If construction activies must be conducted during this period, nesting bird surveys shall take place whtin one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. Construction activities shall observe a 300-foot buffer for occupied raptor nests. A 500-foot buffer shall be observed from occuplied nests of all special status species. A preconstruction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements.

BR-4. A biological monitor qualified to capture legless lizards shall rake loose soil within oak and shrub habitats prior to any ground disturbance activity to find and move legless lizards. Any silvery legless lizards found shall be moved to safe habitat outside the project area.

BR-5. 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 .75 acres (.25 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: $1,875 (.75 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 .75 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:
$1,875 (.75 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.

BIO-6. 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 aremade 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

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-7. 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-8. 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-9. 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-10. 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-11. 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-12. 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-13. 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-14. 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-15. 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:

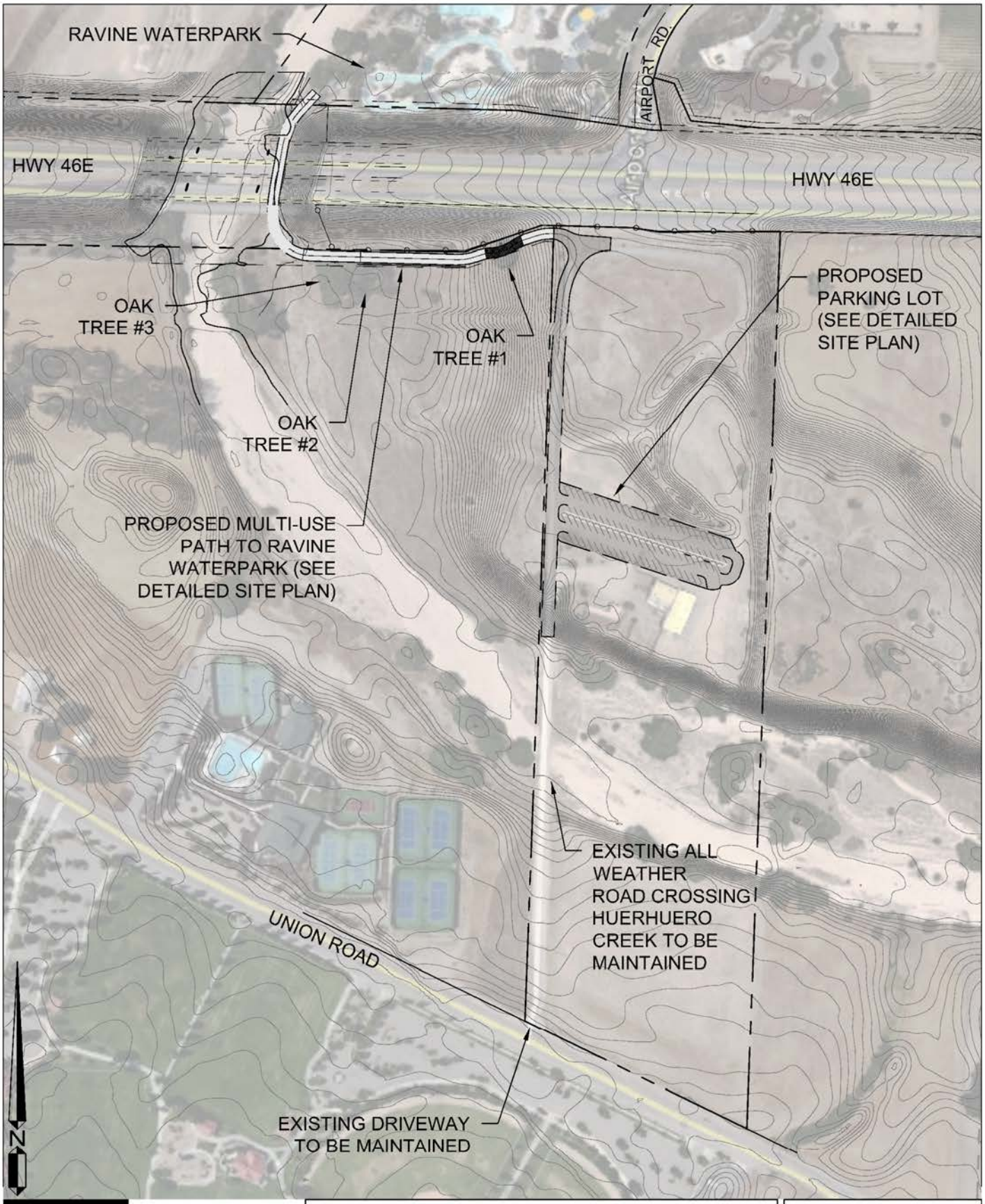
i. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches.

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-16. A pre-construction survey shall be conducted within thirty days of beginning work on the site to identify if badgers are using the site. 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 area of disturbance, and shall examine both old and new dens. 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 1st and February 1st all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the property during the pre-construction survey, the CDFW wildlife biologist for the area shall be contacted to review current allowable management practices that may include encouraging badgers to move offsite and/or trapping and relocation.

ATTACHMENT 2 -
OVERALL SITE PLAN



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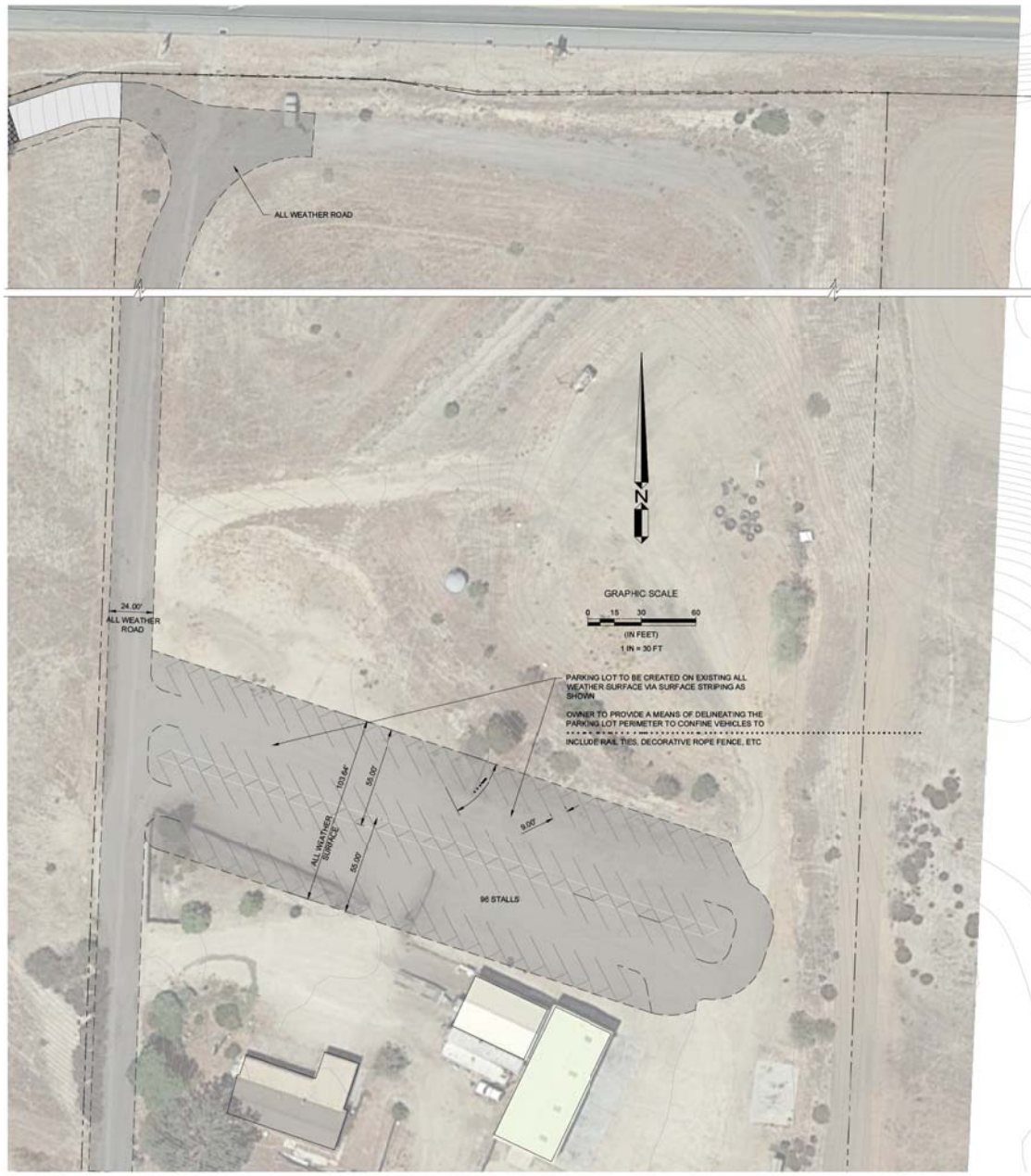
OVERALL PROJECT CONCEPT PLAN
RAVINE WATERPARK
FIGURE 1

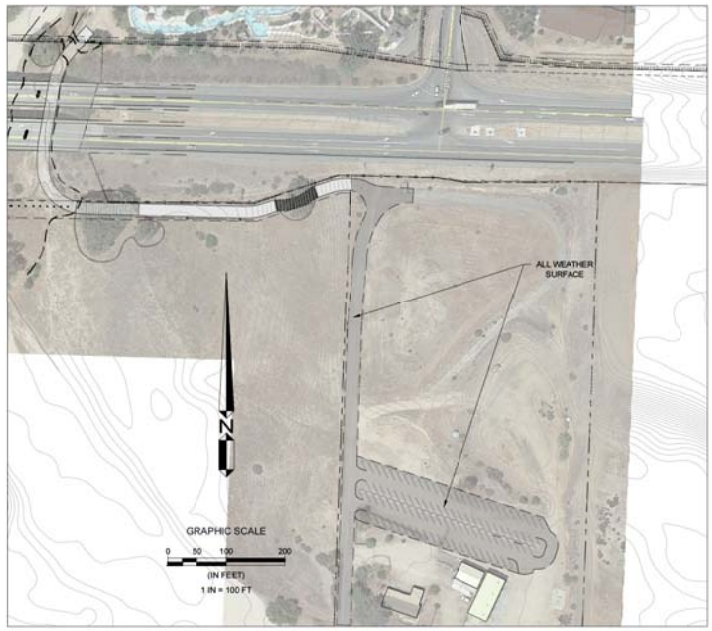
JOB No. :	1336-001
DRAWING :	RAVINE PARKING
DRAWN BY:	SJ
DATE :	5-26-17
SCALE :	1" = 250'

FILE NAME: 1336 DSGN.DWG Plot Date: 9/9/2017

FOR REDUCED PLANS
ORIGINAL SCALE IS IN INCHES 0 1 2 3

ATTACHMENT 2a
SITE PLAN - PARKING LOT





LIMITS OF WORK

Scale: 1"=100'

WALLACE GROUP.

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MECHANICAL ENGINEERING
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REGISTERED PROFESSIONAL ENGINEER
ROBERT S. MILLER
No. 57474
FOR PLAN REVIEW ONLY
NOT FOR CONSTRUCTION
Exp. 12-31-15
CIVIL
STATE OF CALIFORNIA

SIGNATURE

DATE SIGNED

RAVINE WATER PARK
MULTI-USE PATH AND OVERFLOW PARKING

JOB # 1336-01
DESIGNERS: RSM
DRAWN BY: CD
DATE: APRIL 2017

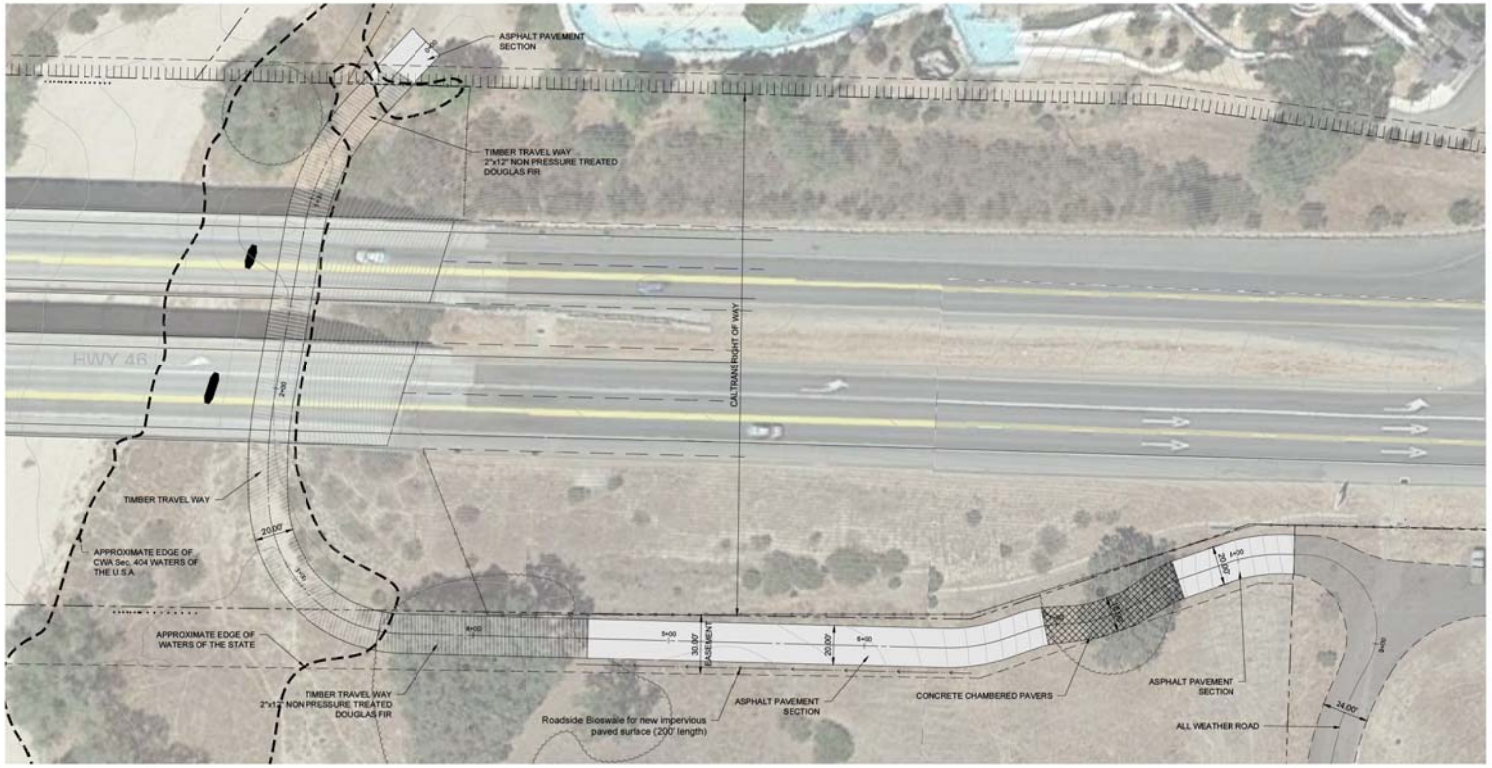
DRAWING NO.
C1.1
OF

Agenda Item 2

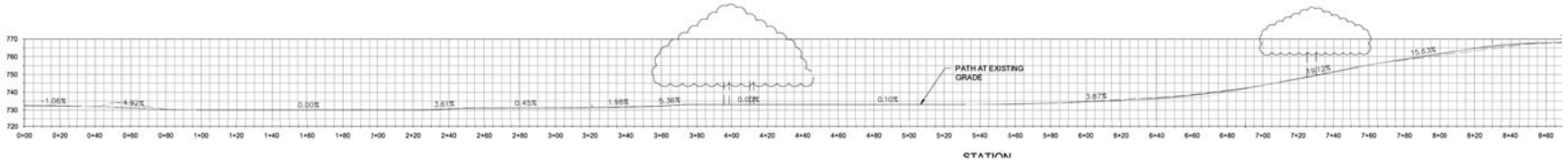
FILE NAME: 1336 DSGN.DWG Plot Date: 9/9/2017

FOR REDUCED PLANS
ORIGINAL SCALE IS IN INCHES 0 1 2 3

ATTACHMENT 2b.
SITE PLAN - PATH

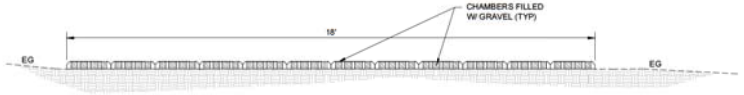


GRAPHIC SCALE
0 15 30 60
(IN FEET)
1 IN = 30 FT



PROFILE VIEW
Scale: 1"=30'

TIMBER TRAVEL WAY
Scale: NTS



CONCRETE CHAMBERED PAVERS
Scale: NTS

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REGISTERED PROFESSIONAL ENGINEER
ROBERT S. MILLER
No. 57474
FOR PLAN REVIEW ONLY
NOT FOR CONSTRUCTION
Exp. 12-31-17
CIVIL
STATE OF CALIFORNIA

SIGNATURE

DATE SIGNED

RAVINE WATER PARK
MULTI-USE PATH AND OVERFLOW PARKING

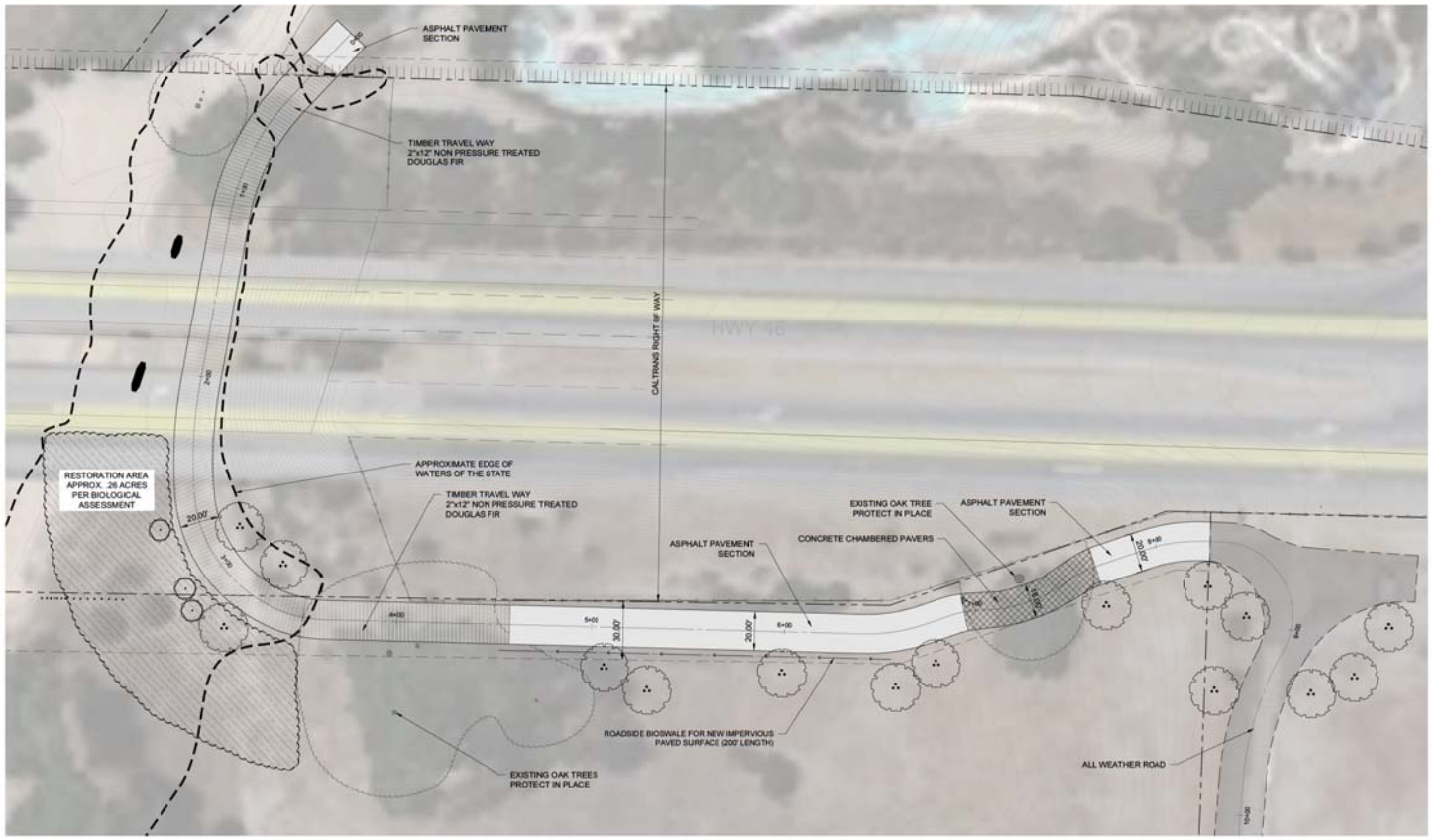
JOB # 1336-01
DESIGNERS: RSM
DRAWN BY: CD
DATE: APRIL 2017

DRAWING NO.
C1.2
OF

FILE NAME: 1336001-PLNT.DWG Plot Date: 10/6/2017

FOR REDUCED PLANS
ORIGINAL SCALE IS IN INCHES 0 1 2 3

ATTACHMENT 2c.
Site Plan - Planting Plan



MITIGATION PLANTINGS

TREES

SCIENTIFIC NAME	COMMON NAME	SIZE	QUANTITY	REMARKS
POPULUS FREMONTII	FREMONT COTTONWOOD	15 GAL	3	MULTI-TRUNK
QUERCUS LOBATA	VALLEY OAK	15 GAL	15	STRAIGHT TRUNK

SHRUBS (APPROX. 0.26 ACRE AREA SHOWN ON PLAN)

SCIENTIFIC NAME	COMMON NAME	SIZE	QUANTITY	PLANTING SPACING	PROPAGATION METHOD
BACCHARIS SALICIFOLIA	MULE FAT	1 GAL.	17	20 FEET	SEED, CUTTINGS
BACCHARIS PILULARIS	COYOTE BUSH	1 GAL.	17	20 FEET	SEED, CUTTINGS
ARTEMISIA DRACUNCULUS	WILD TARAGON	1 GAL.	16	20 FEET	SEED, CUTTINGS
		TOTAL	50 PLANTS		

N

GRAPHIC SCALE
0 15 30 60
(IN FEET)
1 IN = 30 FT

PLANTING NOTES

1. MITIGATION SHRUB PLANTINGS: A TOTAL OF 50 SHRUBS WILL BE ARRANGED IN GROUPS THREE TO FOUR IN 14 GROUPS SPACED 20-FEET ON CENTER. INDIVIDUAL SHRUBS WILL BE PLANTED IN WEED MATS, AND MULCHED 2-FEET FROM TRUNK. PATCHES OF HERBACEOUS AND GRASSLAND VEGETATION WILL REMAIN BETWEEN PATCHES.
2. THE MITIGATION PLANTINGS WILL BE TEMPORARILY IRRIGATED FOR 3 YEARS, AND WEANED OFF OF SUMMER WATER DURING YEARS 4 AND 5. MITIGATION PLANTINGS WILL BE WEEDED AND MAINTAINED FOR FIVE YEARS.
3. NOXIOUS WEEDS WILL BE REMOVED. WEEDS TO BE REMOVED INCLUDE YELLOW STARTHISTLE AND TREE-OF-HEAVEN WHERE IT OCCURS IN THE MITIGATION AREA.
4. NOTIFY OWNER'S REPRESENTATIVE (REP.) 48 HOURS MINIMUM PRIOR TO COMMENCEMENT OF WORK TO COORDINATE PROJECT INSPECTION SCHEDULE.
5. VERIFY ALL EXISTING CONDITIONS, DIMENSIONS AND ELEVATIONS BEFORE PROCEEDING WITH THE WORK. IMMEDIATELY NOTIFY OWNER'S REPRESENTATIVE OF FIELD CONDITIONS THAT VARY FROM THOSE SHOWN ON DRAWINGS AND SEEK CORRECTIONS AND DIRECTIONS BEFORE PROCEEDING WITH WORK. ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY CORRECTIONS DUE TO FAILURE TO REPORT KNOWN DISCREPANCIES.
6. LOCATE AND MARK ALL EXISTING UTILITIES WHETHER SHOWN HEREON OR NOT. PROTECT FROM DAMAGE ALL UTILITIES, AREAS AND STRUCTURES IN AND AROUND LANDSCAPE WORK AREAS. ASSUME FULL RESPONSIBILITY AND EXPENSE FOR REPAIR AND REPLACEMENT OF DAMAGES CAUSED BY CONTRACTOR.
7. LOCATION OF N.I.C. CONSTRUCTION ELEMENTS SUCH AS LIGHTS, SIGNS, VENTS, HYDRANTS, TRANSFORMERS, AND OTHER STRUCTURES OR ELEMENTS ARE APPROXIMATE. CONTRACTOR SHALL VERIFY FIELD CONDITIONS WHETHER SHOWN HEREON OR NOT. WHEN SHOWN ITEMS DO NOT CORRESPOND TO FIELD CONDITIONS, REPORT DISCREPANCIES TO OWNER'S REP. FOR CLARIFICATIONS AND INSTRUCTIONS PRIOR TO PROCEEDING WITH WORK.
8. PLANTING ACCESSORIES & MATERIAL:
   A. TREE TIE: CINCH TIE, BY V.I.T. PRODUCTS, 800-729-1314
   B. TREE GUY ANCHOR ASSEMBLY: 3 INCH DUCKBILL ANCHOR KITS (WITH CABLE, TURNBUCKLE & ANCHOR), BY FORESIGHT PRODUCTS, 800-325-5360. MODEL 40 DTS FOR <3 INCH CALIPER & MODEL 68 DTS FOR 3"-6" CALIPER.
   C. FERTILIZER TABLETS: AGRIFORM 20-10-5, THREE 20-GRAM TABLETS FOR 15 GALLON OR LARGER SIZE TREES, TWO 10-GRAM TABLETS FOR 5 GALLON SIZE PLANTS, ONE 10-GRAM TABLET FOR 1 GALLON SIZE.
   D. MULCH: SHREDDED BARK MULCH. SUBMIT SAMPLE FOR APPROVAL.
9. PREPLANTING PREPARATION:
   A. PROCEED WITH PLANTING WORK ONLY AFTER IRRIGATION WORK IS COMPLETED, TESTED, AND APPROVED BY OWNER'S REP. PROTECT UNDERGROUND IRRIGATION SYSTEM FROM DAMAGE.
   B. ROUGH GRADE PLANTING AREAS UNIFORMLY SMOOTH, TO CONFORM TO THE GRADING PATTERNS ESTABLISHED BY CIVIL ENGINEERING DRAWINGS. ENSURE POSITIVE WATER REMOVAL AT 2% MINIMUM GRADIENT TO DRAINAGE ELEMENTS OR STRUCTURES PROVIDED BY OTHERS.
   C. ENSURE POSITIVE DRAINAGE AWAY FROM WALLS AND FOUNDATIONS FOR PLANTING AREAS ADJACENT SUCH STRUCTURES, AT 2% GRADIENT MINIMUM.
   D. REMOVE ALL ROCKS GREATER THAN 2" DIAMETER AND ALL DEBRIS AND DELETERIOUS MATERIAL FROM PLANTING AREAS.
   E. PREPARE BACKFILL MIX AND PLANTING BED PER SOIL TEST REPORT'S RECOMMENDATIONS, SEE NOTE 8 BELOW.
10. SOIL SAMPLE TESTING: AFTER ROUGH GRADING, COLLECT ONE REPRESENTATIVE SOIL SAMPLE FROM THE TOP 12 INCHES OF SOIL AND SUBMIT IT TO SOIL AND PLANT LABORATORY, 1594 N. MAIN STREET, ORANGE, CA 92613, TEL: 714-282-8777, FOR A05 SOIL ANALYSIS (FERTILITY, AGRICULTURAL SUITABILITY, AND PHYSICAL APPRAISAL) AND REPORT. SOIL REPORT SHALL INCLUDE FERTILIZER AND SOIL ORGANIC AMENDMENT RECOMMENDATIONS FOR PLANTING WORK (AND HYDROSEEDING WHEN APPLICABLE)
11. BACKFILL MIX: PREPARE IN ACCORDANCE TO SOIL TEST REPORT'S RECOMMENDATIONS, ADDING AMENDMENTS, FERTILIZER, AND OTHER MATERIAL AS REQUIRED TO SITE TOP SOIL.
12. PLANTS: ALL PLANTS OF THE SAME SPECIES/CULTIVAR/VARIETY SHALL HAVE MATCHING FORM, FLOWER COLOR, AND SIZE, IN HEALTHY AND THRIVING CONDITION, FREE FROM INJURIES, DISEASES, PESTS AND ROOT-BOUND OR GIRDLING ROOTS. REPLACE REJECTED PLANTS WITH MATCHING SPECIES, SIZE AND FORM.
13. PLANTING:
   A. IRRIGATE PLANTING AREAS TO BRING TOP 6" OF SOIL TO FIELD CAPACITY. ALLOW SOIL TO DRAIN. DO NOT WORK SOIL UNTIL IT RETURNS TO A MOIST FRIABLE CONDITION. TREE EXCAVATIONS MAY REQUIRE ADDITIONAL IRRIGATION. FLOOD TREE PITS AS REQUIRED TO MOISTEN SUBGRADE.
   B. PLACE PLANTS IN THEIR CONTAINERS AT THE LOCATIONS PER PLANS FOR APPROVAL BY OWNER'S REP. MAKE MINOR ADJUSTMENTS AS REQUIRED BY FIELD CONDITIONS AND TO ALLOW OPTIMAL IRRIGATION COVERAGE.
   C. PLANT QUANTITIES GIVEN ON PLANT LEGEND ARE FOR GENERAL GUIDANCE ONLY. PROVIDE THE SPECIFIED PLANT SPECIES IN THE QUANTITIES AT THE REQUIRED SPACING TO ACHIEVE THE DESIGN EFFECT/INTENT SHOWN ON THE PLANS.
   D. PLANT GROUND COVER AND SHRUB MASSES ACCORDING TO TRIANGULATED SPACING DIAGRAM UNLESS OTHERWISE SHOWN OR NOTED.
   E. FOR TREES IN TREE WELLS OR WITHIN 5 FEET OF PAVEMENT AND SLAB FOUNDATIONS, PRIOR TO TREE PLACEMENT, INSTALL ROOT BARRIER FABRIC WITH ROOT INHIBITING PELLETS ALL AROUND THE PLANT PIT, WITH 4" MINIMUM END OVERLAP.
   F. PLANT TREES, SHRUBS, AND GROUNDCOVERS AS SHOWN ON DETAILS.
   G. INSTALL 3" DEEP CONIFEROUS BARK MULCH IN AREAS SHOWN OR INDICATED.

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PRELIMINARY NOT FOR CONSTRUCTION

SIGNATURE

DATE SIGNED

RAVINE WATER PARK
MULTI-USE PATH AND OVERFLOW PARKING
MITIGATION PLANTING PLAN

JOB #: 1336-0001
DESIGNERS: BLM
DRAWN BY: BLM
DATE: 10/06/17

DRAWING NO.
L1.1
OF

Exhibit B - MND Resolution

ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM
CITY OF PASO ROBLES
(Review Period: December 11, 2017 to January 9, 2018)

1. PROJECT TITLE:	**Ravine Waterpark Multi-use Path and Overflow Parking Lot**
Concurrent Entitlements:	**PD 17-005 & CUP 17-009**
2. LEAD AGENCY:	City of Paso Robles 1000 Spring Street Paso Robles, CA 93446
Contact:	Darren Nash, Associate Planner
Phone:	(805) 237-3970
Email:	dnash@prcity.com
3. PROJECT LOCATION:	2981 Union Road
4. PROJECT PROPONENT:	Wallace Group
Contact Person:	Rob Miller, PE
Phone:	(805) 544-4011
Email:	robm@wallacegroup.us
5. GENERAL PLAN DESIGNATION:	Commercial Service (CS)
6. ZONING: Development Overlay (C3-PD)	Commercial/Light Industrial, Planned

7. PROJECT DESCRIPTION:

The Ravine Waterpark is proposing to install a multi-use path to connect the Park to an overflow parking area on the south side of State Route 46 East. The major project components include the following items (See Site Plan – Attachment 1):

1. A new parking area for 96 vehicles will be created by adding striping and perimeter confinements (rail ties, rope fence) to an existing all weather surface area;

2. A new 20-foot wide muli-use path for pedestrians, bicycles, and an electric tram for Park visitors will be installed. The path will be located within the Caltrans right of way and an existing 30-foot wide access easement over a distance of approximately 850-feet. The path materials were selected to avoid impacts to oak trees and to the Huer Huero Creek.

The materials include asphalt pavement were appropriate, concrete pavers, and wood planking installed on existing grade.

3. An existing all-weather driveway will be used to access the parking lot from Union Road.

8. ENVIRONMENTAL SETTING:

As noted above, the environmental setting for this project is adjacent to the Huer Huero Creek and along State Highway 46 East. The Ravine Waterpark is located at the intersection of Airport Road and Highway 46 East. The proposed parking lot would be located on previously disturbed area south of the highway and be accessed from Union Road. The multi-use path consists of creating an approximate 20-foot wide pathway from the waterpark, underneath the Highway 46 East bridge along the Huer Huero Creek to the approximate 1.42 acre parking lot area.

9. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED): Caltrans, Encroachment Permit Office
Regional Water Quality Control

Exhibit B - MND Resolution

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

☐ Aesthetics	☐ Agriculture Resources	☐ Air Quality
☒ Biological Resources	☐ Cultural Resources	☐ Geology /Soils
☐ 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

Exhibit B - MND Resolution

	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 proposed project multi-use path and overflow parking area located along Highway 46 East, in an area that is considered a scenic vista identified in the City 2003 General Plan or other planning documents. However, the site is briefly visible from Highway 46 East, which is designated as a Visual Corridor in the General Plan. The proposed parking area will be located approximately 500-feet south of the highway, and approximately 10-feet lower than the highway; therefore it will not be visible. The path will be visible from the highway at the upper portion of the site where it turns south to lead to the parking area. Trees and decorative fencing will be provided along the pathway. Therefore, the proposed project will result in beneficial visual impacts.				
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☑
Discussion: See Ia above.				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☑
Discussion: See Ia.				
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: While the intent of the path would be for use only during the daytime, it is anticipated that at some point in the future lighting would be provided along the path, however non are proposed at this time. Standard conditions require that any path or parking lot lighting be fully shielded so that there is no off-site glare. The light cast from the trail or parking lot lighting would not result in adversely affecting nighttime views in the area. Therefore, impacts resulting from light from this project would be less than significant.				
II. AGRICULTURE 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?	☐	☐	☐	☑

Exhibit B - MND Resolution

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
	Discussion: This project would be located under the Highway 46 East bridge, adjacent to the creek and on the larger parcels that do not have agricultural land use or designated agricultural resources/farmland pursuant to the FMMP. Therefore, this project would not result in direct or indirect impacts to agricultural resources.				
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☑
	Discussion: See IIa. The property of the proposed trail and parking lot that is not designated agricultural nor does it have a Williamson Act contract that would be affected by this project.				
c.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☑
	Discussion: See IIa				

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: 11)	☐	☐	☐	☑
	Discussion: This project is consistent with the objectives of the San Luis Obispo Clean Air Plan since it would help reduce vehicle miles traveled by providing an alternative to travel by automobile, and would therefore reduce vehicle emissions. Therefore, this project would not conflict with San Luis Obispo Clean Air Plan.				
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 11)	☐	☐	☑	☐
	Discussion: This project is anticipated to result in beneficial operational air quality impacts and reduced greenhouse gas emission by providing a connection between the water park and overflow parking area and also providing a key bike/ped path connection in the City's bikeway network to encourage alternative transportation. Construction related air quality impacts will be addressed through standard conditions of approval recommended by the San Luis Obispo County Air Pollution Control District to reduce emissions that may result from soil disturbance (PM 10) and construction equipment emissions. These conditions shall be applied prior to beginning construction, and documentation of conditions implemented shall be provided to the city by the project contractor prior to issuance of any permits.				
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: 11)	☐	☐	☑	☐

Exhibit B - MND Resolution

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
	Discussion: See III a. & b. above.				
d.	Expose sensitive receptors to substantial pollutant concentrations? (Source: 11)	☐	☐	☑	☐
	Discussion: Based on the location of the path and parking lot, it would seem that the only sensitive receptor would be the Paso Robles Athletic Club. Construction related impacts such as dust, will be addressed through standard conditions of approval, which will be short term impacts reduced to a less than significant level. As a pedestrian/bicycle trail project, operational emissions impacts could not result from this project and/or expose sensitive receptors to substantial pollutant concentrations.				
e.	Create objectionable odors affecting a substantial number of people? (Source: 11)	☐	☐	☐	☑
	Discussion: As a trail project this project could not result in direct or indirect odors affecting residents.				

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?	☐	☑	☐	☐

Discussion: The Biological Survey Area (BSA) and property have been disturbed as a result of previous grading, disking and tilling. No special-status plant species were observed nor are special-status plant species expected to occur within the BSA (See Biological Resources Assessment, Attachment 4). However, three valley oak trees within the project impact area are protected under the Oak Tree Preservation Ordinance (refer to IV e. further information).

Birds protected under the Migratory Bird Treaty Act (MBTA) are expected to occur on the property and may utilize the oak trees and weedy areas within the BSA for nesting and foraging purposes. California horned larks may forage on the property. The likelihood of this species occurring within the BSA is low since California horned lark is not a common resident to the Paso Robles area. The nearest known occurrence of this species is a year-round population at Camp Roberts, approximately 15 miles north of the BSA (CNDDB 2015).

Mitigation measures recommended in the Mitigation Monitoring & Reporting Plan (Attachment 3) will ensure that project activities will avoid impacts to migratory nesting birds and that California horned larks are not present prior to the start of construction. The BSA does not contain suitable denning habitat for San Joaquin kit fox. Huer Huero Creek serves as a wildlife corridor for the purposes of foraging for the species. Due to the property's distance from this creek (0.2 miles west), there is potential that San Joaquin kit fox may pass through the project area. Therefore, standard San Joaquin kit fox avoidance measures should be implemented during project construction (refer to BSA, Attachment 4).

In addition, the project site is located in a 3:1 mitigation area for the San Joaquin kit fox as preliminarily defined by the City, California Department of Fish & Wildlife (CDFW), and the County of San Luis Obispo. Based on the site BSA indicating that .25 acres of California Annual Grassland will be removed as a result of this installation of the trail area, .75 acres of mitigation including but not limited to the payment of in-lieu fees, is required. Therefore, the adverse effect of the project on special status species is reduced to less than

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

significant with mitigation measures incorporated.

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?	☐	☑	☐	☐

Discussion: The BSA indicates that the proposed trail and overflow parking area will have no impact on riparian vegetation. Placement of the timber tramway will not impact riparian trees and will not disturb the ground underneath the canopy of the trees. The tramway will be placed over sandy habitat and will convert 0.13 acres of sandy riparian habitat to linear transportation. This impact will be mitigated by planting native riparian vegetation near the trail. Shrubs and trees will be planted that mimic the subject reach of Huer Huero Creek. As a result of the mitigation requirement for vegetation planting, this projects impacts on riparian habitat will be less than significant.

There are three oak trees located on the site. The proposed tramway and overflow parking lot area has been designed to have no impacts to the oaks on site. The site plans require presence of a certified arborist during work adjacent to oak trees in order to ensure no impacts occur within the Critical Root Zone (CRZ) of any oak tree. Mitigation is not required as no impacts are expected occur. A condition of approval will be included in the project approvals requiring the necessary Arborist monitoring.

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?	☐	☐	☑	☐

Discussion: The proposed trail/tramway is proposed to be located within the sandy riparian habitat of the Huer Huero Creek. Althouse and Meade have verified with the Regional Water Quality Control Board where the edge of the Waters of the State is located in in relation to this project. Since the trail/tramway is proposed to extend into the creek area within the area considered Jurisdictional, the applicants have worked with RWQCB and California Fish and Wildlife Service (CFWS) on the design and materials of the trail/tramway. The travel way within the creek area will be constructed of a 20-foot wide, 2”x12” non-pressure treated Douglas Fir wood planks. The planks would be placed on the existing surface, where only minimal grading would occur.

As the project moves forward to construction the applicants will be working with the RWQCB and CFWS through the standard process of getting the necessary permits through those agencies to proceed with the proposed construction of the trail/tramway within the Huer Huero Creek area. Therefore, project impacts on wetlands 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?	☐	☐	☑	☐

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

Discussion: The BSA indicates that the site is located adjacent to the Huer Huero Creek, a wildlife movement corridor. Common animal species such as red fox, coyote, and mule deer pas through the site on occasion. The tramway and parking lot area would be used during the daytime in the summer season, and would not block movement of common wildlife species along the Creek. If San Joaquin Kit Fox were to be on site, they would also be able to continue pass through the site since the project will not block movement. No sensitive bird species were identified on the site, additionally, since there is no tree removal taking place as a part of this project, impacts to nesting birds can be avoided. As a result of the project not requiring significant grading, tree removal, or blocking of any corridors, this projects impacts on migration corridors or wildlife nursery sites is less than significant.

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

Discussion: The BSA along with the Arborist Report, indicates that there are three large valley oak trees that meet the qualifications for protection under the City Oak Tree Preservation Ordinance (2002). There are no oak trees proposed for removal with this project. This ordinance applies to all oak species native to Paso Robles with a DBH equal to or greater than 6 inches and their corresponding "critical-root-zone" (CRZ), which is calculated by a radius of 1 foot per inch (dbh). Development of the project should avoid impacts to the CRZ and every reasonable effort will be made to avoid impact to the oak trees, including preventing compaction, soil retention, and diversion or increased water flow to the root zone. Existing ground surface within the CRZ shall not be cut, filled, compacted, or paved, and nearby excavation shall not damage roots. A registered civil engineer or land surveyor must provide the City with an inventory and map of all qualifying oak trees in the BSA. A permit must be obtained from the City to prune or remove qualifying oak trees.

Damage to any qualifying oak tree must be reported immediately and corrected in a manner specified by an arborist hired by the City at the applicant's cost. Mitigation plantings are required for removal of qualifying oak trees, and all others remaining in the BSA must be protected. Oak trees that are 6 inches in diameter (dbh) are protected under the City's Oak Tree Protection Ordinance. Based the project not requiring significant grading, and no trees being removed, this projects impacts on tree preservation is less than significant.

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?	☐	☐	☐	☑

Discussion: There are no adopted Habitat Conservation Plan or Community Conservation Plans, or other approved local, regional, or state habitat conservation plans that apply to this project. Therefore, this project will not conflict with adopted conservation plans.

V. CULTURAL RESOURCES: Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☑	☐

Discussion: a – d: The project consists of establishing an approximate 96 space overflow parking area to be

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

utilized by the Ravine Waterpark. The .25-acre area parking lot area along with the existing driveway out to Union Road have been previously disturbed and will not require significant grading for this project.

The proposed tram way path is located along the Huero Huero Creek and within Caltrans right of way, and as a result of being adjacent to the creek within a flood zone area has been required by the Regional Water Quality Control Board (RWQCB) to be constructed of a non-permanent wood planking installed on the natural grade. The path coming out of the creek area up to the parking lot area is located on the south side of the highway. This area is area that was significantly disturbed as part of the construction of the highway bridge.

Since no grading will occur for the portion of the path that extends underneath the highway, and since the only minor grading will occur for the portion of the path connecting to the parking lot, this projects impacts on cultural resources will be less than significant.

In the event that potential historic or other cultural resources were found during construction of the project, the following condition will be added to the project.

If artifacts, burials, or other indicators of significant cultural resources are encountered during grading or other earth-moving construction activities, work should stop immediately and a qualified archaeologist should be called to the site to evaluate and suggest further mitigation measures, as necessary.

AB 52 – This Initial Study will be circulated to the 6 tribes that have requested consultation. As mentioned above, given the nature of the project including the installation of wood planks over the existing sandy creek area, and with only minor grading necessary to complete the trail to the parking area, impacts to cultural resources is anticipated to be less than significant.

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

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	☐	☐	☑	☐

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

Division of Mines and Geology Special Publication 42. (Sources: 1, 2, & 3)

Discussion: While the City of Paso Robles is located within an area with known earthquake faults and activity, this project is a multipurpose trail that does not include any structures, and could not result in exposing people or structures to earthquake related risks.

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

Discussion: While the City of Paso Robles is located within an area with known seismic activity, this project is a multipurpose trail that does not include structures and could not result in exposing people or structures to seismic related risks.

iii. Seismic-related ground failure, including liquefaction? (Sources: 1, 2 & 3) ☐ ☐ ☑ ☐

Discussion: According to the Safety Element of the City 2003 General Plan, the project trail is located in the Huer Huero corridor that is subject to a high risk of liquefaction due to seismic impacts. Since the project is for a trail and no structures are proposed in the project area, there is a low potential for injury to people resulting from seismic-related ground failure, including liquefaction impacts.

b. Landslides? ☐ ☐ ☑ ☐

Discussion: The Safety Element of the City 2003 General Plan indicates that the project site is not located within an area with a risk for landslides. Therefore, potential impacts resulting from landslides in the project area is anticipated to be less than significant.

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

Discussion: The project trail design incorporates Low Impact Development design features and landscaping to specifically reduce the potential of soil erosion or topsoil loss. Therefore, potential impacts due to soil erosion hazards are specifically addressed for this project, and would result in less then significant impacts.

d. 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 VI a.iii. above.

e. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? ☐ ☐ ☐ ☑

Discussion: According to the City's Local Hazard Mitigation Plan, the project site is not located in an area with expansive soil, and would therefore not result in potential impacts resulting from expansive soil.

Exhibit B - MND Resolution

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f. 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: The proposed project does not include wastewater disposal facilities.

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?	☐	☐	☐	☑

Discussion: It is anticipated that construction of the multipurpose trail will result in beneficial impacts to greenhouse gas emissions by providing a key connection in the City's bikeway network to encourage alternative transportation. Therefore, the trail project could not result in significant impact on the environment due to generating greenhouse gas emissions.

b. Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gasses?	☐	☐	☐	☑

Discussion: The multipurpose trail is consistent with and supports policies and plans to reduce greenhouse gas emissions and vehicle miles traveled. It implements actions in various plans such as the City's Circulation and Conservation Elements and Bikeway Master Plan intended to provide bike and walking trails to provide alternative transportation to reduce GHG.

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: This project could not result in impacts related to routine transport, use, or disposal of hazardous materials since this trail will not be used for said purposes.

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: This project could not result in impacts related to accidental conditions involving the release of hazardous materials into the environment since it does not include use of hazardous materials nor will the trail be used for conveyance of hazardous materials.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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: See VIII a. & b. This project could not result in impacts related to emitting hazardous emissions, materials, substances, or waste within one-quarter mile of an existing or proposed school.

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

Discussion: The proposed project site is not listed as a hazardous material site pursuant to Government Code Section 65962.5, and would not pose a public health hazard.

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?	☐	☐	☑	☐

Discussion: The parking lot and trial is located within Safety Zone 4 of Airport Land Use Plan. Parking lots are permitted within Zone 4 with the condition that intensity of the activity (in this case parking of cars) not exceed an average of 40 persons per gross acre, maximum of 120 people per single acre at any time. When taking in consideration the 96 space parking lot and when factoring in 1.2 persons per car, that equates to 115 people. Since this parking lot and path area is for providing parking to the Ravine Water Park, and the 115 people will be distributed over the 1.8 acre site as well as the Ravine site, the people per acre calculations can include the water park site also. When factoring in the Ravine site, the density of people per acre will not exceed the thresholds established by the Airport Land Use Plan, therefore impacts will be less than significant.

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: There are no private airstrips in the City of Paso Robles.

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☑

Discussion: This project is not in conflict with nor could it affect emergency response or emergency evacuation plans.

Exhibit B - MND Resolution

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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: According to the City's Local Hazard Mitigation Plan, the project site is located in a low wildland fire hazard area. Therefore, the trail will not likely exposed people to fire related hazards.

IX. HYDROLOGY AND WATER QUALITY: Would the project:

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

Discussion: The project incorporates water quality management Best Management Practices (BMPs) to control sedimentation and erosion during construction, and Low Impact Development design features to address post-construction water quality. Therefore, the proposed trail project will not violate water quality standards.

The project does not include facilities that require waste water discharge, therefore the project will not affect these 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: This project could not significantly impact groundwater supplies since it would only require irrigation to help establish drought tolerant landscaping for the first two years of the project. Post construction LID features are incorporated to direct water back into the groundwater. Therefore, this project will not result in impacts to groundwater resources.

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: The corridor where the trail is proposed receives urban storm water surface flow, but it is not a river or stream. The surface flow currently erodes the site and causes environmental damage to the corridor and the Salinas River downstream. The project would not alter a stream or river, but would improve drainage facilities in the vicinity.

Exhibit B - MND Resolution

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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: The proposed project will not result in flooding impacts on- or off-site. LID features will address on-site water drainage, and reduce potential off-site drainage impacts. Therefore, flooding impacts that may result from this project would be 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: The proposed project is intended to improve stormwater drainage systems by reducing the velocity and volume of stormwater that leaves the site, and remove toxins from stormwater pollution through implementation of LID features. Therefore, the project will not result in negative impacts to runoff water and storm drain systems.

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

Discussion: See responses a – e above.

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: The proposed project does not include housing, and will therefore not result in flood hazards to housing.

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

Discussion: The proposed project does not include construction of structures, and will therefore not result in flood hazards or changes to flood flows.

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

Discussion: The proposed project does not include construction of structures, and will therefore not result in flood hazards to structures, and there are no levees or dams in the vicinity.

Exhibit B - MND Resolution

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
j.	Inundation by mudflow?	☐	☐	☐	☑

Discussion: The proposed project is not located in an area subject to mudflow or landslides.

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

Discussion: The proposed project would not directly conflict with BMPs in the City's Storm Water Master Plan, and will be designed so that is in compliance with the City's SWMP.

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

Discussion: The proposed multipurpose path is designed to infiltrate runoff within the pathway area of disturbance to the maximum extent possible, and will improve the watershed storage area.

X. LAND USE AND PLANNING: Would the project:

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

Discussion: The proposed project site is located on a site that is currently being used as an accessory lot to the water park. Buildings are used for office and maintenance associated with the waterpark. In the past the site has been used for the random parking of semi-trucks. The addition of the 96-space parking lot and associated trial would result in community benefits by creating a vital linkage in the City's off-street mobility network while improving the parking situation for the waterpark. Therefore, the project would not physically divide an established community, but would improve existing barriers that divide community areas.

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 multipurpose trail is consistent with and implements policies of the City's General Plan Land Use and Circulation Elements as well as the Draft 2017 Bikeway Master Plan, and is not in conflict with other adopted codes or regulations.

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

Discussion: The City does not have any habitat or natural community conservation plans in place that apply to the project or its location. However, the project will be consistent with all applicable regulations regarding habitat and species protection required by State or Federal law.

Exhibit B - MND Resolution

	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 significant mineral resources in the City of Paso Robles.				
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: See XIa				
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 proposed project may result in short-term construction related noise impacts while installing the trail corridor, however, construction noise will not be created during evening hours so that is would not disturb residents. Noise levels would comply with applicable City noise regulations.				
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☑
Discussion: See XIIa				
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☑
Discussion: The proposed trail could not result in a substantial permanent increase in ambient noise levels in the project vicinity, since bicyclists and pedestrians do not create significant noise.				
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☑
Discussion: See XIIa				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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: See discussion in Section VIIIe. regarding Airport Land Use Plan. Regarding noise, the nature of the proposed path and parking lot will not be a new use, but an accessory to the existing water park which is the primary use. The path and parking lot in itself will not expose people to excessive noise levels, since people will entering and exiting the site to get to and from the waterpark. Therefore, impacts to people from noise related to aircraft from the Paso Robles Airport will be less than significant.

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)	☐	☐	☐	☑

Discussion: The proposed project would not include substantial population growth since it does not include new homes, businesses or roads. It will be an amenity to the existing community.

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑

Discussion: There is no housing on the proposed project site that could be displaced.

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑

Discussion: See XIIIb.

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)	☐	☐	☐	☑

Discussion: The proposed project would not result in the need to provide new or altered public services for fire or police protection, schools, parks or other public facilities.

b. Police protection? (Sources: 1,10)	☐	☐	☐	☑

Discussion: See XIV a

Exhibit B - MND Resolution

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Schools?	☐	☐	☐	☑
Discussion: See XIVa				
d. Parks?	☐	☐	☐	☑
Discussion: See XIVa				
e. Other public facilities? (Sources: 1,10)	☐	☐	☑	☐

Discussion: The project would require Public Works Dept maintenance of the improved facility, however this would likely be less than existing clean up efforts currently required by city crews to control the debris and sediment that results from the site after storm events. Therefore, impacts to city services and public facilities would be 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?	☐	☐	☑	☐

Discussion: The proposed multipurpose trail will provide an off-street linkage to other existing trail-ends of the City's bikeway network. Additional park use may result from bicyclists being encouraged to use the trail for recreational purposes, however, the increase in park and recreation facilities would not result in a significant impact to these facilities.

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?	☐	☐	☐	☑

Discussion: The project is a recreational facility. However, it will not require expansion or construction of other recreational facilities. The project is intended to result in beneficial impacts to the environment.

XVI. TRANSPORTATION/TRAFFIC: Would the project:

a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☐	☑

Exhibit B - MND Resolution

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
	Discussion: This project will not result in negative impacts to traffic. However construction of the trail is anticipated to result in beneficial impacts to traffic congestion and street level of service when constructed by providing a key off-street trail linkage for bicyclists and pedestrians.				
b.	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☑
	Discussion: See XVIa				
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 proposed project will improve traffic circulation related to the waterpark as well as provide for a multi-use path that will provide for connection underneath Highway 46 East, and would therefore not result in safety risks to air traffic patterns.				
d.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☑
	Discussion: This proposed trail project will reduce potential hazards of bicyclists and pedestrians that currently travel across Highway 46 East, therefore there will be no impact.				
e.	Result in inadequate emergency access?	☐	☐	☐	☑
	Discussion: The proposed path will be a minimum of 20 feet wide, and constructed with materials designed to accommodate emergency vehicle access if needed.				
f.	Result in inadequate parking capacity?	☐	☐	☐	☑
	Discussion: This overflow parking lot for the waterpark along with the multi-use path to connect to a new 96 space parking lot will improve parking for the waterpark. Therefore, the project would not result in inadequate parking capacity.				
g.	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☑
	Discussion: This project implements programs supporting alternative transportation, therefore, it would not conflict with these adopted policies, plans, or programs.				

Exhibit B - MND Resolution

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☑
Discussion: This trail project does not require wastewater treatment, and will not result in impacts to the City's municipal wastewater and/or wastewater treatment facilities.				
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: See XVIIa				
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: This trail project will not result in new or expansion of existing storm water drainage facilities. All potential storm water drainage that may result from this project will be directed to onsite Low Impact Development drainage facilities designed to accommodate storm water drainage from this project.				
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☑	☐
Discussion: The proposed trail project does not require water resources after establishment of drought tolerant landscaping the first 2 years, and would therefore not significantly impact water supplies.				
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: See XVIIa				
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☑
Discussion: The proposed trail project will not generate a significant amount of landfill materials either in construction or when completed, and will not exceed the permitted capacity of the City's landfill.				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☑

Discussion: See XVIIa

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: This project will not result in direct or indirect impacts that would have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species or eliminate important examples of the major periods of California history or prehistory, with biological resource mitigation measures incorporated. If cultural resources related to California's history or prehistory are discovered during construction of this project, all work shall be halted until a qualified cultural resource specialists can evaluate the resources and provide further direction on appropriately addressing the resources.

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 does not have impacts that are individually limited, but cumulatively considerable. Potential cumulative impacts to air resources will likely be beneficial as a result of providing off-street multipurpose bicycle and pedestrian access.

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

Discussion: The project does not have the potential to result in environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. The project will likely result in beneficial impacts to residents by providing an alternative transportation linkage, and potential benefits to the quality of life for residents by providing recreational opportunities which may benefit human health.

Exhibit B - MND Resolution

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 that may have been used 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	San Luis Obispo County Air Pollution Control District Guidelines for Impact Thresholds	APCD 3433 Roberto Court San Luis Obispo, CA 93401
11	USDA, Soils Conservation Service, Soil Survey of San Luis Obispo County, Paso Robles Area, 1983	Soil Conservation Offices Paso Robles, Ca 93446
12	Draft Bike Plan, 2009	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446

Attachments

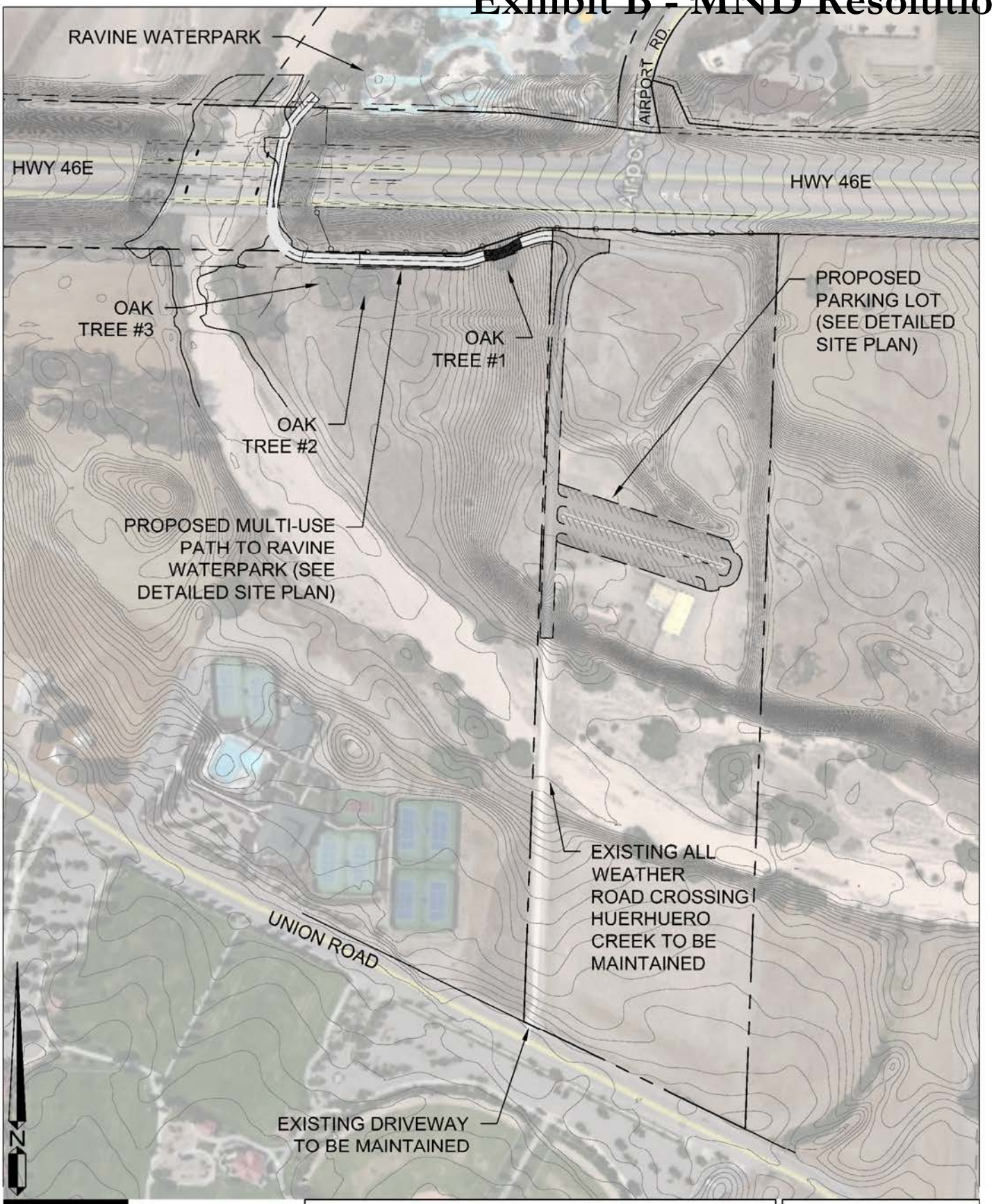
1 – Project Location / Vicinity Map
2 – Site Plan / Multi-use Path Plan
3 – Mitigation Monitoring and Reporting
4 – Biological Assessment
5 – Arborist Report
6 – RWQCB Memo / Althouse & Meade Letter

Exhibit B - MND Resolution

Exhibit B - MND Resolution
ATTACHMENT 1 - VICINITY MAP

ATTACHMENT 2 - OVERALL SITE PLAN

Exhibit B - MND Resolution



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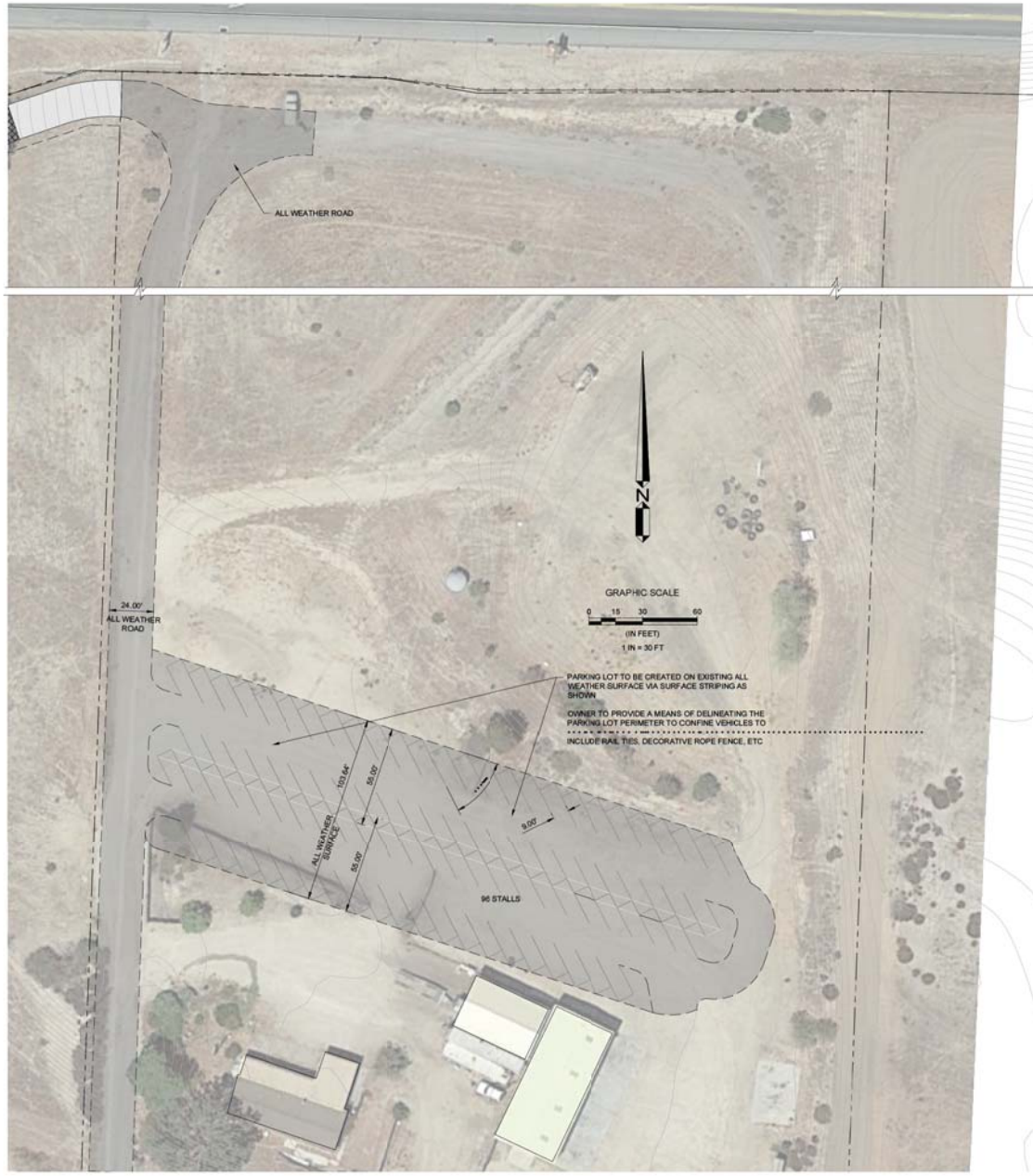
OVERALL PROJECT CONCEPT PLAN
RAVINE WATERPARK
FIGURE 1

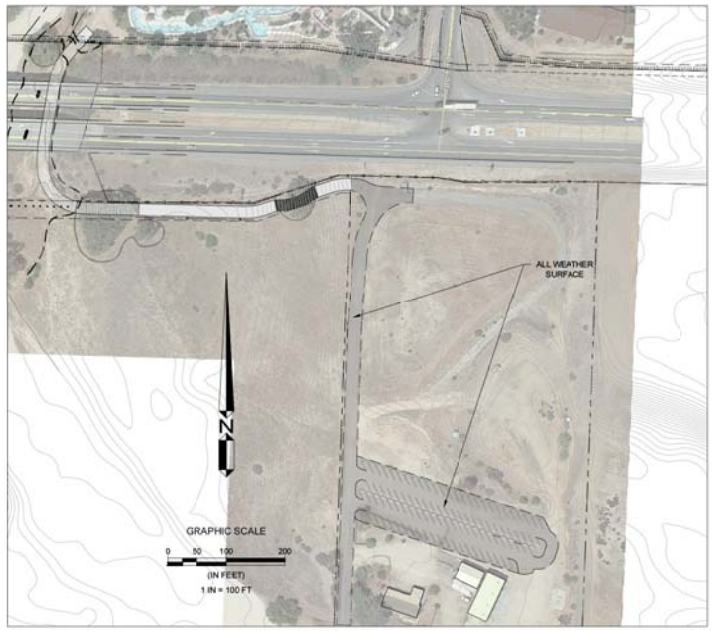
JOB No. :	1336-001
DRAWING :	RAVINE PARKING
DRAWN BY:	SJ
DATE :	5-26-17
SCALE :	1" = 250'

FILE NAME: 1336 DSGN.DWG Plot Date: 9/5/2017

FOR REDUCED PLANS
ORIGINAL SCALE IS IN INCHES

ATTACHMENT 2a
SITE PLAN - PARKING LOT





LIMITS OF WORK

Scale: 1"=100'

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REGISTERED PROFESSIONAL ENGINEER
ROBERT S. MILLER
No. 57474
FOR PLAN REVIEW ONLY
NOT FOR CONSTRUCTION
Exp. 12-31-15
CIVIL
STATE OF CALIFORNIA

SIGNATURE

DATE SIGNED

RAVINE WATER PARK
MULTI-USE PATH AND OVERFLOW PARKING

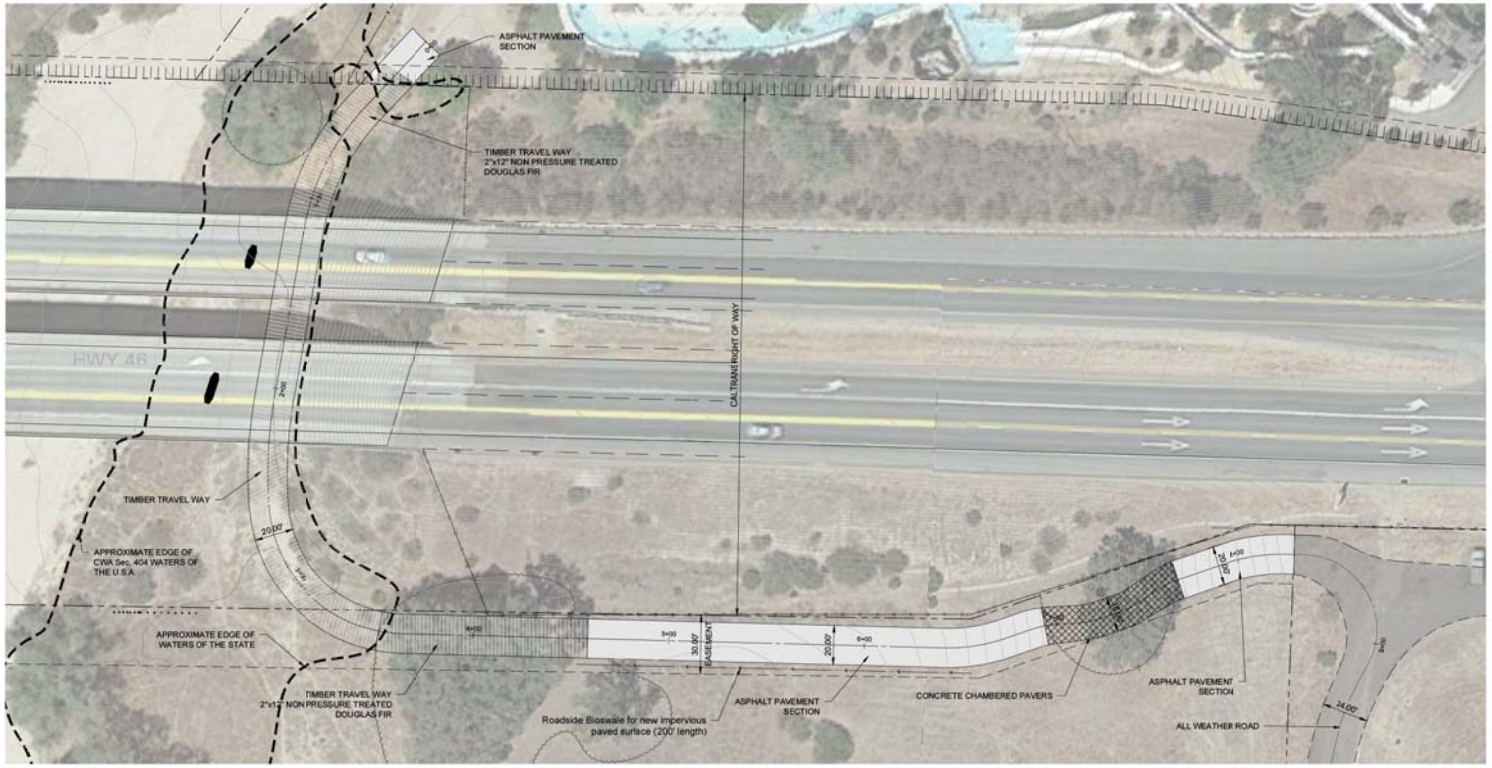
JOB # 1336-01
DESIGNERS: RSM
DRAWN BY: CD
DATE: APRIL 2017

DRAWING NO.
C1.1
OF

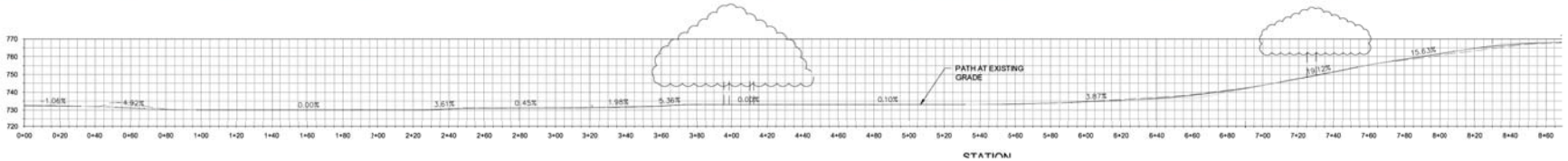
FILE NAME: 1336 DSGN.DWG Plot Date: 9/9/2017

FOR REDUCED PLANS
ORIGINAL SCALE IS IN INCHES

ATTACHMENT 2b.
SITE PLAN - PATH



GRAPHIC SCALE
0 15 30 60
(IN FEET)
1 IN = 30 FT

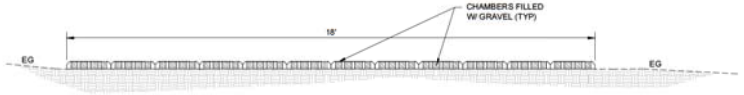


PROFILE VIEW

Scale: 1"=30'

TIMBER TRAVEL WAY

Scale: NTS



CONCRETE CHAMBERED PAVERS

Scale: NTS

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STATE OF CALIFORNIA

SIGNATURE

DATE SIGNED

RAVINE WATER PARK
MULTI-USE PATH AND OVERFLOW PARKING

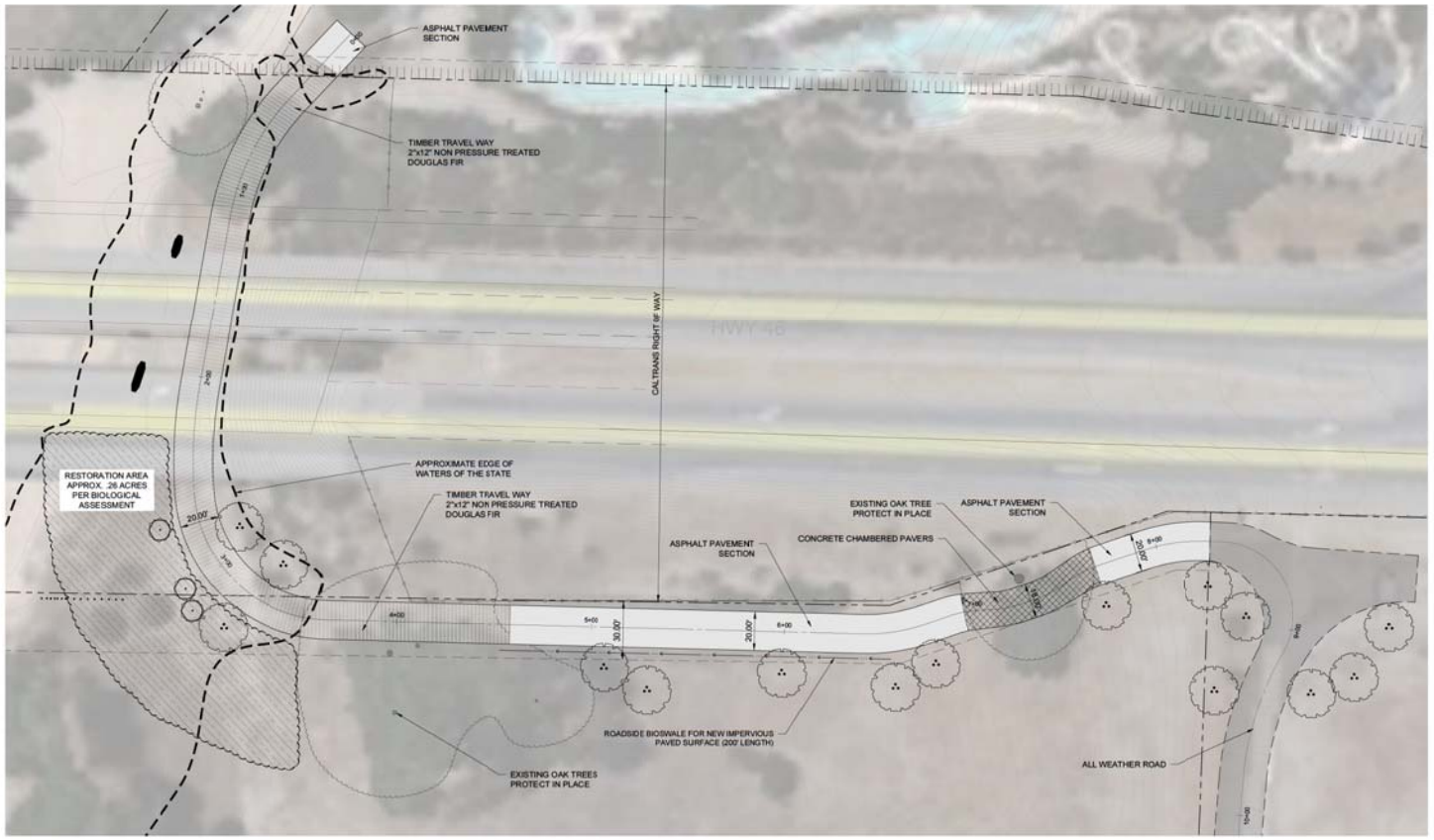
JOB # 1336-01
DESIGNERS: RSM
DRAWN BY: CD
DATE: APRIL 2017

DRAWING NO.
C1.2
OF

FILE NAME: 133601-PLNT.DWG Plot Date: 10/6/2017

FOR REDUCED PLANS
ORIGINAL SCALE IS IN INCHES 0 1 2 3

ATTACHMENT 2c.
Site Plan - Planting Plan



MITIGATION PLANTINGS

TREES

SCIENTIFIC NAME	COMMON NAME	SIZE	QUANTITY	REMARKS
POPULUS FREMONTII	FREMONT COTTONWOOD	15 GAL	3	MULTI-TRUNK
QUERCUS LOBATA	VALLEY OAK	15 GAL	15	STRAIGHT TRUNK

SHRUBS (APPROX. 0.26 ACRE AREA SHOWN ON PLAN)

SCIENTIFIC NAME	COMMON NAME	SIZE	QUANTITY	PLANTING SPACING	PROPAGATION METHOD
BACCHARIS SALICIFOLIA	MULE FAT	1 GAL.	17	20 FEET	SEED, CUTTINGS
BACCHARIS PILULARIS	COYOTE BUSH	1 GAL.	17	20 FEET	SEED, CUTTINGS
ARTEMISIA DRACUNCULUS	WILD TARAGON	1 GAL.	16	20 FEET	SEED, CUTTINGS
		TOTAL	50 PLANTS		

N

GRAPHIC SCALE
0 15 30 60
(IN FEET)
1 IN = 30 FT

PLANTING NOTES

1. MITIGATION SHRUB PLANTINGS: A TOTAL OF 50 SHRUBS WILL BE ARRANGED IN GROUPS THREE TO FOUR IN 14 GROUPS SPACED 20-FEET ON CENTER. INDIVIDUAL SHRUBS WILL BE PLANTED IN WEED MATS, AND MULCHED 2-FEET FROM TRUNK. PATCHES OF HERBACEOUS AND GRASSLAND VEGETATION WILL REMAIN BETWEEN PATCHES.
2. THE MITIGATION PLANTINGS WILL BE TEMPORARILY IRRIGATED FOR 3 YEARS, AND WEANED OFF OF SUMMER WATER DURING YEARS 4 AND 5. MITIGATION PLANTINGS WILL BE WEEDED AND MAINTAINED FOR FIVE YEARS.
3. NOXIOUS WEEDS WILL BE REMOVED. WEEDS TO BE REMOVED INCLUDE YELLOW STARTHISTLE AND TREE-OF-HEAVEN WHERE IT OCCURS IN THE MITIGATION AREA.
4. NOTIFY OWNER'S REPRESENTATIVE (REP.) 48 HOURS MINIMUM PRIOR TO COMMENCEMENT OF WORK TO COORDINATE PROJECT INSPECTION SCHEDULE.
5. VERIFY ALL EXISTING CONDITIONS, DIMENSIONS AND ELEVATIONS BEFORE PROCEEDING WITH THE WORK. IMMEDIATELY NOTIFY OWNER'S REPRESENTATIVE OF FIELD CONDITIONS THAT VARY FROM THOSE SHOWN ON DRAWINGS AND SEEK CORRECTIONS AND DIRECTIONS BEFORE PROCEEDING WITH WORK. ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY CORRECTIONS DUE TO FAILURE TO REPORT KNOWN DISCREPANCIES.
6. LOCATE AND MARK ALL EXISTING UTILITIES WHETHER SHOWN HEREON OR NOT. PROTECT FROM DAMAGE ALL UTILITIES, AREAS AND STRUCTURES IN AND AROUND LANDSCAPE WORK AREAS. ASSUME FULL RESPONSIBILITY AND EXPENSE FOR REPAIR AND REPLACEMENT OF DAMAGES CAUSED BY CONTRACTOR.
7. LOCATION OF N.I.C. CONSTRUCTION ELEMENTS SUCH AS LIGHTS, SIGNS, VENTS, HYDRANTS, TRANSFORMERS, AND OTHER STRUCTURES OR ELEMENTS ARE APPROXIMATE. CONTRACTOR SHALL VERIFY FIELD CONDITIONS WHETHER SHOWN HEREON OR NOT. WHEN SHOWN ITEMS DO NOT CORRESPOND TO FIELD CONDITIONS, REPORT DISCREPANCIES TO OWNER'S REP. FOR CLARIFICATIONS AND INSTRUCTIONS PRIOR TO PROCEEDING WITH WORK.
8. PLANTING ACCESSORIES & MATERIAL:
   A. TREE TIE: CINCH TIE, BY V.I.T. PRODUCTS, 800-729-1314
   B. TREE GUY ANCHOR ASSEMBLY: 3 INCH DUCKBILL ANCHOR KITS (WITH CABLE, TURNBUCKLE & ANCHOR), BY FORESIGHT PRODUCTS, 800-325-5360. MODEL 40 DTS FOR <3 INCH CALIPER & MODEL 68 DTS FOR 3"-6" CALIPER.
   C. FERTILIZER TABLETS: AGRIFORM 20-10-5, THREE 20-GRAM TABLETS FOR 15 GALLON OR LARGER SIZE TREES, TWO 10-GRAM TABLETS FOR 5 GALLON SIZE PLANTS, ONE 10-GRAM TABLET FOR 1 GALLON SIZE.
   D. MULCH: SHREDDED BARK MULCH. SUBMIT SAMPLE FOR APPROVAL.
9. PREPLANTING PREPARATION:
   A. PROCEED WITH PLANTING WORK ONLY AFTER IRRIGATION WORK IS COMPLETED, TESTED, AND APPROVED BY OWNER'S REP. PROTECT UNDERGROUND IRRIGATION SYSTEM FROM DAMAGE.
   B. ROUGH GRADE PLANTING AREAS UNIFORMLY SMOOTH, TO CONFORM TO THE GRADING PATTERNS ESTABLISHED BY CIVIL ENGINEERING DRAWINGS. ENSURE POSITIVE WATER REMOVAL AT 2% MINIMUM GRADIENT TO DRAINAGE ELEMENTS OR STRUCTURES PROVIDED BY OTHERS.
   C. ENSURE POSITIVE DRAINAGE AWAY FROM WALLS AND FOUNDATIONS FOR PLANTING AREAS ADJACENT SUCH STRUCTURES, AT 2% GRADIENT MINIMUM.
   D. REMOVE ALL ROCKS GREATER THAN 2" DIAMETER AND ALL DEBRIS AND DELETERIOUS MATERIAL FROM PLANTING AREAS.
   E. PREPARE BACKFILL MIX AND PLANTING BED PER SOIL TEST REPORT'S RECOMMENDATIONS, SEE NOTE 8 BELOW.
10. SOIL SAMPLE TESTING: AFTER ROUGH GRADING, COLLECT ONE REPRESENTATIVE SOIL SAMPLE FROM THE TOP 12 INCHES OF SOIL AND SUBMIT IT TO SOIL AND PLANT LABORATORY, 1594 N. MAIN STREET, ORANGE, CA 92613, TEL: 714-282-8777, FOR A05 SOIL ANALYSIS (FERTILITY, AGRICULTURAL SUITABILITY, AND PHYSICAL APPRAISAL) AND REPORT. SOIL REPORT SHALL INCLUDE FERTILIZER AND SOIL ORGANIC AMENDMENT RECOMMENDATIONS FOR PLANTING WORK (AND HYDROSEEDING WHEN APPLICABLE)
11. BACKFILL MIX: PREPARE IN ACCORDANCE TO SOIL TEST REPORT'S RECOMMENDATIONS, ADDING AMENDMENTS, FERTILIZER, AND OTHER MATERIAL AS REQUIRED TO SITE TOP SOIL.
12. PLANTS: ALL PLANTS OF THE SAME SPECIES/CULTIVAR/VARIETY SHALL HAVE MATCHING FORM, FLOWER COLOR, AND SIZE, IN HEALTHY AND THRIVING CONDITION, FREE FROM INJURIES, DISEASES, PESTS AND ROOT-BOUND OR GIRDLING ROOTS. REPLACE REJECTED PLANTS WITH MATCHING SPECIES, SIZE AND FORM.
13. PLANTING:
   A. IRRIGATE PLANTING AREAS TO BRING TOP 6" OF SOIL TO FIELD CAPACITY. ALLOW SOIL TO DRAIN. DO NOT WORK SOIL UNTIL IT RETURNS TO A MOIST FRIABLE CONDITION. TREE EXCAVATIONS MAY REQUIRE ADDITIONAL IRRIGATION. FLOOD TREE PITS AS REQUIRED TO MOISTEN SUBGRADE.
   B. PLACE PLANTS IN THEIR CONTAINERS AT THE LOCATIONS PER PLANS FOR APPROVAL BY OWNER'S REP. MAKE MINOR ADJUSTMENTS AS REQUIRED BY FIELD CONDITIONS AND TO ALLOW OPTIMAL IRRIGATION COVERAGE.
   C. PLANT QUANTITIES GIVEN ON PLANT LEGEND ARE FOR GENERAL GUIDANCE ONLY. PROVIDE THE SPECIFIED PLANT SPECIES IN THE QUANTITIES AT THE REQUIRED SPACING TO ACHIEVE THE DESIGN EFFECT/INTENT SHOWN ON THE PLANS.
   D. PLANT GROUND COVER AND SHRUB MASSES ACCORDING TO TRIANGULATED SPACING DIAGRAM UNLESS OTHERWISE SHOWN OR NOTED.
   E. FOR TREES IN TREE WELLS OR WITHIN 5 FEET OF PAVEMENT AND SLAB FOUNDATIONS, PRIOR TO TREE PLACEMENT, INSTALL ROOT BARRIER FABRIC WITH ROOT INHIBITING PELLETS ALL AROUND THE PLANT PIT, WITH 4" MINIMUM END OVERLAP.
   F. PLANT TREES, SHRUBS, AND GROUNDCOVERS AS SHOWN ON DETAILS.
   G. INSTALL 3" DEEP CONIFEROUS BARK MULCH IN AREAS SHOWN OR INDICATED.

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PRELIMINARY NOT FOR CONSTRUCTION

SIGNATURE

DATE SIGNED

RAVINE WATER PARK
MULTI-USE PATH AND OVERFLOW PARKING
MITIGATION PLANTING PLAN

JOB #: 1336-0001
DESIGNERS: BLM
DRAWN BY: BLM
DATE: 10/06/17

DRAWING NO.
L1.1
OF

Exhibit B - MND Resolution

Mitigation Monitoring and Reporting Plan

Project File No./Name: PD 17-005 – **Ravine Waterpark Tramway and Overflow Parking Lot (2981 Union Road)**
Approving Resolution No.: Resolution No. 17-XXX by: ☒ Planning Commission ☐ City Council Date: January 9, 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 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
BR-1. To avoid impacts to biological resources within the proposed project area, the boundaries of the construction zone shall be clearly delinated to prevent equipment or vehicles from entering the open space area. Orange construction fencing or stakes shall be placed at the limits of construction and shall be maintained in good condition throughout the construction phases of the project.	Project	CDD			Prior to issuance of building permits.
BR-2. To mitigate for reduction of sandy riparian habitat, a combination of native riparian species that occur in the flood plain of the subject reach of the Huer Huero Creek will be selected for restoration planting. Species such as mule fat (baccharis salicifolia), wild tarragon (Artemisia dracunculus), coyote bush (Baccharis Pilularis) and two valley oak trees will be planted on within a 0.26 acre area near the tram trail. A total of 50 shrubs will be arranged in groups thre to four in 14 groups spaced 20-feet on center. Individual shrubs will be planted in week mats, and mulched 2-feet from trunk. Patches of herbaceous and grassland vegetation will remain between patches.	Project, ongoing	CDD		Notes to be shown on grading plans and construction documents	Prior to site disturbance.

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
The mitigation plantings will be temporarily irrigated for 3 years, and wened off of summer water during years 4 and 5. Mitigation plantings will be weeded and maintained for 5 years . Noxious weeds will be removed. Weeds to be removed include yellow starthistle and tree-of-heaven where it occurs in the mitigation area. If sufficient appropriate grassland riparian habitat is not available on property owned by Ravine or its easement, and if alternative mitigation is acceptable to CDFW and the RWQCB, owners of the Ravine may negotiate an in lieu payment with the Upper-Salinas Las Tables Resource Conservation District and the City of Paso Robles for 0.52 acre of cottonwood riparian mitigation habitat.					
BR-3. Within one week of ground disturbance activities, if work occurs between March 1 and August 31, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activites that affect trees and grass lands shall not be conducted during the breeding season from March 1 to August 31.If construction activies must be conducted during this period, nesting bird surveys shall take place whtin one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. Construction activities shall observe a 300-foot buffer for occupied raptor nests. A 500-foot buffer shall be observed from occuplied nests of all special status species. A preconstruction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements.	Project	SLOAPCD CDD			Prior to issuance of permits for demolition of onsite structures.
BR-4. A biological monitor qualified to capture legless lizards shall rake loose soil within oak and shrub habitats prior to any ground disturbance activity to find and move legless lizards. Any silvery legless lizards found shall be moved to safe habitat outside the project area.	Project	Qualified Biologist CDD			Prior to issuance of grading permit

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
BR-5. 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 .75 acres (.25 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: $1,875 (.75 multiplied by $2,500)	Project	Qualified Biologist CDD			Prior to issuance of grading permit

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
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 .75 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: $1,875 (.75 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.					

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
BIO-6. 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 aremade 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	Project	Qualified Biologist CDD			Prior to issuance of grading permit

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work. If incidental take of kit fox during project activities is possible, before project activities commence, the applicant must consult with the USFWS. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities. iv. In addition, the qualified biologist shall implement the following measures: 1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances: ▪ Potential kit fox den: 50 feet ▪ Known or active kit fox den: 100 feet ▪ Kit fox pupping den: 150 feet 2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project- related disturbances have been terminated, and then shall be removed.					

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
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-7. 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.	On-going	CDD			Prior to issuance of grading permit
BR-8. 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	CDD			Prior to issuance of grading permit
BR-9. 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.	On-going	CDD			Prior to issuance of grading permit

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
BR-10. 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.	On-going	CDD			Prior to issuance of grading permit
BR-11. 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 issuing Certificate of Occupancy permit
BR-12. 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.	Project	Certified Arborist CDD			Prior to issuing grading permit

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
BR-13. 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	Certified Arborist CDD		Notes shown on construction documents.	Prior to issuing grading permit.
BR-14. 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		Notes shown on construction documents.	Prior to issuing grading permit.
BR-15. 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.	Project	CDD		Notes shown on construction documents.	Prior to issuing Certificate of Occupancy permit

Mitigation Measure PD 17-005 (Ravine Water Park Tram/Parking Lot)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
BR-16. A pre-construction survey shall be conducted within thirty days of beginning work on the site to identify if badgers are using the site. 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 area of disturbance, and shall examine both old and new dens. 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 1st and February 1st all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the property during the pre-construction survey, the CDFW wildlife biologist for the area shall be contacted to review current allowable management practices that may include encouraging badgers to move offsite and/or trapping and relocation.	Project	CDD		Notes shown on construction documents.	Prior to issuing Building Permit.
	On-going	CDD		Notes shown on construction documents.	Prior to issuing Building Permit.
	Project	CDD			Prior to issuing Certificate of Occupancy permit
	Project	CDD			Prior to site disturbance, grading permit issued
	On-going	Certified Arborist CDD		Shown on construction documents	Prior to issuance of grading permit
	On-going	Certified Arborist CDD		Shown on construction documents	Prior to issuance of Certificate of Occupancy

Exhibit B - MND Resolution

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.

Biological Assessment

for

The Ravine Waterpark Tramway Crossing

Paso Robles, California

Prepared for

The Ravine
Brett Butterfield
2301 Airport Road
Paso Robles, CA 93446

Prepared by

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1602 Spring Street
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(805) 237-9626

May 2017

934.01

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1.0 Introduction

The Ravine Waterpark (Ravine) is located in the City of Paso Robles, San Luis Obispo County, California (Township 26S, Range 12E, Section 23). The Ravine is located at the intersection of Airport Road and Highway 46. An approximately 1.42 acre vacant lot exists just south of Highway 46, adjacent to the road. The project (Project) would consist of creating an approximately 20 foot wide pathway from The Ravine, underneath the Highway 46 bridge along Huer Huero Creek with only temporary impacts to the creek, to a recently acquired 1.42 acre vacant lot (Lot) just south of Highway 46. Work would be done when the creek and surrounding area are dry. The applicant will apply for permits from the California Department of Fish and Wildlife (CDFW), and the Regional Water Quality Control Board (RWQCB; collectively referred to as "Agencies") for this work.

1.1 Purpose

The purpose of this report is to provide state and local agencies with a Biological Assessment as part of the application for permits. This report discusses biological resources occurring in the proposed work area that have the potential to be affected by project activities, as well as those that have potential to occur in the work area but were not detected onsite. We provide dimensions of the work area, assess potential impacts, provide restrictions regarding methods of work, and provide monitoring recommendations to ensure protection of biological resources.

1.2 Responsible Parties

TABLE 1. RESPONSIBLE PARTIES. Applicant and biological consultant are provided.

Applicant	Biological Consultant
The Ravine 2301 Airport Road Paso Robles, California 93446 (805) 440-4839 Contact: Brett Butterfield	**Althouse and Meade, Inc.** 1602 Spring Street Paso Robles, California 93446 (805) 237-9626 Contact: Dan Meade

1.3 Project Description and Existing Conditions

The Ravine Waterpark Tramway Project (Project) would consist of creating an approximately 20-foot wide pathway utilizing a combination of concrete pavers and asphalt, as well as a timber tramway to connect from the southwest boundary of The Ravine, underneath Highway 46, and terminating into a proposed 1.42-acre overflow parking lot south of the highway (Figure 1). A timber tramway consisting of 2 inch by 12 inch pressure treated boards will be installed laying flat along a path under the Highway 46 bridge and within the canopy of two valley oaks (*Quercus lobata*) south of Highway 46. As the pathway continues east, an approximately 350 foot section of the tramway will be comprised of asphalt pavement and/or concrete pavers. Photos 1 to 5 show existing conditions in the path location. At the top of the hill near Highway 46, the tramway turns south on an existing all weather surface road and parking area. Foot and tram traffic would utilize the pathway to move between The Ravine Water Park and the parking area.

No construction activities are proposed within Waters of the U.S., below the ordinary high water mark (OHWM) of Huer Huero Creek. Temporary impacts to riparian habitat from placement of the timber tramway within the riparian zone will be mitigated. Riparian trees will be avoided and impacts to oak trees will be prevented under supervision of a certified arborist.

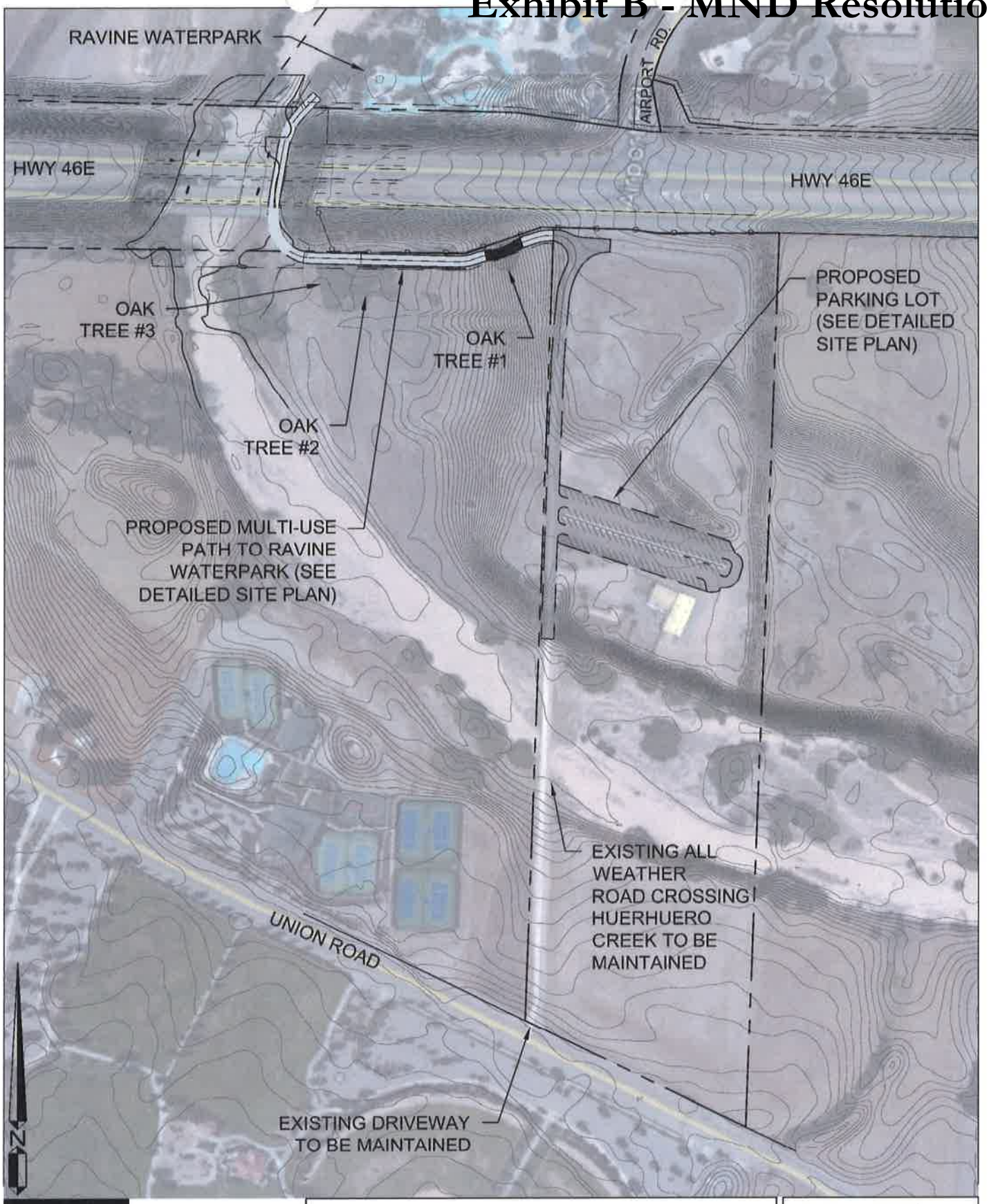
2.0 Methods

The Project site was inspected by Althouse and Meade, Inc. Principal Scientist LynneDee Althouse, Principal Scientist Dan Meade, Biologist Jeremy Pohlman, and Wetland Specialist Jacqueline Tilligkeit in December 2016, January 2017, and May 2017 to determine associated habitat types and assess the likelihood of impacts to wildlife and special status species. Prior to site visits, the California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants were searched for occurrences of special status species known to occur within 5 miles of the Project site and in the following USGS 7.5-minute quadrangles: Paso Robles, Estrella, Adelaida, Templeton, Creston, York Mountain, San Miguel, Bradley, Ranchito Canyon.

Identification of botanical resources included field observations and laboratory analysis of collected material (Table 2) during December 2016, January 2017, and May 2017 site visits. Botanical nomenclature used in this document follows the Jepson Manual, Second Edition (Baldwin et al. 2012). We also provide Jepson Manual First Edition names in brackets where nomenclature has recently changed.

Wildlife documentation included observations of animal presence, nests, tracks, and other wildlife sign. Observations of wildlife were recorded during field surveys in all areas of the Study Area (Table 3). Birds were identified by sight, using 10-power binoculars, or by vocalizations. Reptiles and amphibians were identified by sight, often using binoculars, and by hand-captures; traps were not used. Mammals recorded in the Study Area were identified by sight and tracks. The potential for special status species at the site was assessed based on the type and quality of habitat present and the proximity of the site to known occurrences of special status species. No protocol surveys for special status animals were conducted. The work site was photographed during site visits.

Exhibit B - MND Resolution



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OVERALL PROJECT CONCEPT PLAN
RAVINE WATERPARK
FIGURE 1

JOB No.:	1336-001
DRAWING:	RAVINE PARKING
DRAWN BY:	SJ
DATE:	5-26-17
SCALE:	1" = 250'

3.0 Results

The area east of the Huer Huero Creek that includes the flood plain of Huer Huero Creek and the adjacent grassland to the east (area south of Highway 46), including the proposed potential season parking area, were surveyed as part of this assessment. Several large valley oaks are present adjacent to the Project site along Highway 46.

3.1 Habitat Types

Four habitat types are present in and adjacent to the Project area. These include valley oak savanna, sparsely vegetated Fremont cottonwood riparian habitat, California annual grassland, and anthropogenic habitat. Non-native grasses are present in the understory of the valley oak savanna and riparian habitat. Following is a discussion of these habitats.

3.1.1 Valley oak savanna

Valley oak savanna is present adjacent to Highway 46 with four mature valley oaks and one mature blue oak (*Quercus douglasii*) present along the western length of the pathway (Photos 1 and 4). A mature valley oak is also present further to the east along the tramway. Dominant tree and shrub species include valley oak and coyote bush (*Baccharis pilularis*) with introduced annual grassland species including rip-gut brome (*Bromus diandrus*) and wild oat (*Avena fatua*) prevalent in the understory.

3.1.2 Fremont cottonwood riparian

Huer Huero Creek, an ephemeral creek that connects to the Salinas River approximately five miles downstream of The Ravine, contains several mature Fremont cottonwood (*Populus fremontii*) trees along the northern portion of the pathway and southwest corner of The Ravine (Photo 5). Sparse vegetation occurs in Huer Huero Creek with bare sandy substrate prevalent along the length of the pathway. Shrubs such as mulefat (*Baccharis salicifolia*), coyote brush *(B. pilularis),* tarragon *(Artemisia dracunculus)* , herbs such as San Joaquin milkvetch *(Astragalus asymmetricus),* jimsonweed *(Datura wrightii),* telegraph weed (*Heterotheca grandiflora*) and goldenaster (*Hetertheca sessiflora* ssp. *echioides)*, and introduced grasses comprise the majority of vegetated ground cover within the creek. Two native grass species occur in the riparian zone: creeping wildrye *(Elymus triticoides)* primarily occurs in the shade, and saltgrass *(Dischlis spicata)* occurs on stable sand. A patch of non-native tree-of-heaven *(Ailanthus altissimus)* also occurs in the riparian zone, outside of the tramway easement boundary. Shrubs and trees occur in patches separated by large areas of sparsely vegetated alluvial sand. The transition from cottonwood riparian to sandy wash is differentiated by more vegetative cover in the riparian zone, and scattered herbaceous species in the sandy wash, not included as part of the riparian zone). The elegant buckwheat *(Eriogonum elegans)* shown in Photo 7 was not observed in the cottonwood riparian zone.

3.1.3 California annual grassland

California annual grassland is present south of Highway 46 and east of Huer Huero Creek, up to the western edge of the overflow parking lot located east of the unnamed private road running

north of Union Road. Ripgut brome, wild oat, soft chess brome, cheatgrass *(Bromus tectorum)* and red brome (*Bromus madritensis* ssp. *rubens*) are the dominant species.

3.1.4 Anthropogenic

The southern portion of the tramway and overflow parking area are on significantly disturbed soil with a large portion of bare ground. Few species occur in this habitat type with ruderal herbs such as telegraph weed and goldenaster being most abundant.

3.2 Plant List

A brief botanical survey conducted in November 2016 identified 36 species of plants on or adjacent to the Project site (Table 2). The list includes 22 native species and 14 introduced (naturalized) species. Special status plants were not detected on the Project site.

TABLE 2. PLANT LIST. The 36 species of plants found at the project site during botanical surveys. These include 3 trees, 2 shrubs, 24 herbs, and 7 grasses.

Scientific Name	Status	Origin	Common Name
Trees-3			
Populus fremontii ssp. *fremontii*	None	Native	Fremont cottonwood
Quercus douglasii	None	Native	Blue oak
Quercus lobata	None	Native	Valley oak
Shrubs-2			
Baccharis pilularis	None	Native	Coyote brush
Baccharis salicifolia	None	Native	Mulefat
Herbs-24			
Ambrosia acanthicarpa	None	Native	Annual bursage
Apocynum cannabinum	None	Native	Indian hemp
Artemisia douglasiana	None	Native	Mugwort
Artemisia dracunculus	None	Native	Tarragon
Astragalus asymmetricus	None	Native	San Joaquin milkvetch
Astragalus didymocarpus var. *didymocarpus*	None	Native	
Bloomeria crocea	None	Native	Common goldenstar
Carduus pycnocephalus	None	Introduced	Italian thistle
Centaurea solstitialis	None	Introduced	Yellow star thistle
Chaenactis glabriuscula	None	Native	Yellow pincushion
Croton [=Eremocarpus] setigerus	None	Native	Dove weed
Datura wrightii	None	Native	Jimsonweed
Emmenanthe penduliflora	None	Native	Whispering bells

Scientific Name	Status	Origin	Common Name
Eriogonum fasciculatum	None	Native	California buckwheat
Eriogonum elegans	None	Native	Annual buckwheat
Erodium botrys	None	Introduced	Longbeak storksbill
Erodium cicutarium	None	Introduced	Redstem filaree
Helminthotheca [=*Picris*] *echioides*	None	Introduced	Bristly ox-tongue
Heterotheca grandiflora	None	Native	Telegraph weed
Heterotheca sessiliflora ssp. *echioides*	None	Native	Goldenaster
Hirschfeldia incana	None	Introduced	Mustard
Lupinus microcarpus	None	Native	Chick lupine
Malva parviflora	None	Introduced	Cheeseweed
Marrubium vulgare	None	Introduced	Horehound
Medicago polymorpha	None	Introduced	Burclover
Rumex crispus	None	Introduced	Curly dock
Stephanomeria pauciflora	None	Native	Desert wire-lettuce
Trichostema lanceolatum	None	Native	Vinegar weed
Xanthium strumarium	None	Native	Cocklebur
Grasses-7			
Avena fatua	None	Introduced	Wild oat
Bromus diandrus	None	Introduced	Ripgut brome
Bromus hordeaceus	None	Introduced	Soft chess brome
Bromus madritensis ssp. *rubens*	None	Introduced	Red brome
Bromus tectorum	None	Introduced	Cheatgrass
Distichlis spicata	None	Native	Saltgrass
Elymus triticoides	None	Native	Creeping wildrye
Poa secunda	None	Native	One-sided bluegrass
Stipa [=Nassella] pulchra	None	Native	Purple needlegrass

3.3 Wildlife List

Many wildlife species common to central coast habitats are expected to occur on or near the Project site (Table 3). Huer Huero Creek is ephemeral and is only expected to have flowing water on above average rainfall events. The portion of the creek adjacent to the Project site did not flow in 2017. No fish or amphibians were observed in the creek during 2016 and 2017 surveys and are not likely to occur during normal rainfall years. Suitable habitat is not present for California red-legged frog, a federally listed species. Suitable habitat is present for silvery legless lizard (*Anniella pulchra pulchra*), although this species was not observed during 2016 and 2017 surveys. Raccoon (*Procyon lotor*), opossum (*Didelphis virginiana*), striped skunk

(*Mephitis mephitis*) and black-tailed deer (*Odocoileus hemionus*) are likely to forage in the swale bottom and adjacent upland habitat. Birds are common throughout the riparian, savanna, and grassland areas.

TABLE 3. ANIMAL LIST. The 105 animal species that were observed or could potentially occur on or near the property include 4 amphibians, 9 reptiles, 71 birds, and 21 mammals. The Special Status column contains the listing status of the organism under the Federal Endangered Species Act, the State Endangered Species Act, or the CDFW "special animals" list. Species that were observed on the property during our surveys are designated by the ✓ mark in the fourth column.

Common Name	Scientific Name	Special Status	Observed on the Property	Habitat Type
Amphibians-4 species				
Black-bellied Slender Salamander	*Batrachoseps nigriventris*	None		Oak woodlands, moist areas
Monterey Ensatina	*Ensatina eschscholzi*	None		Grassland, woodland
Pacific Chorus Frog	*Pseudacris regilla*	None		Many habitats near water
Western Toad	*Bufo boreas*	None		Grassland, woodland
Reptiles-9 species				
Common Kingsnake	*Lampropeltis getulus*	None		Woodland, grassland, streams
Gopher Snake	*Pituophis melanoleucus*	None		Woodland, grassland
Northern Pacific Rattlesnake	*Crotalus oreganus*	None		Grassland, woodland
Ringneck snake	*Diadophis punctatus*	None		Grassland, woodland
Side-blotched Lizard	*Uta stansburiana*	None	✓	Many dry habitats
Silvery Legless Lizard	*Anniella pulchra pulchra*	SSC		Sandy, loose loamy soils under sparse vegetation
Southern Alligator Lizard	*Gerrhonotus multicarinatus*	None		Open grassland, woodland, chaparral
Western Fence Lizard	*Sceloporus occidentalis*	None		Wide range
Western Skink	*Plestiodon [=Eumeces] skiltonianus*	None		Woodland, grassland, chaparral; inland areas
Birds-71 species				
Acorn Woodpecker	*Melanerpes formicivorus*	None	✓	Riparian, oak woodlands
Allen's Hummingbird	*Selasphorus sasin*	None		Riparian, eucalyptus, oak woodlands
American Crow	*Corvus brachyrhynchos*	None	✓	Open oak, riparian woodland,
American Goldfinch	*Carduelis tristis*	None		Weedy fields, woodlands
American Kestrel	*Falco sparverius*	None		Open, semi-open country
American Robin	*Turdus migratorius*	None		Streamsides, woodlands
Anna's Hummingbird	*Calypte anna*	None		Oak, riparian woodland, scrub
Ash-throated Flycatcher	*Myiarchus cinerascens*	None		Open areas near oaks
Barn Owl	*Tyto alba*	None		Agricultural, woodlands
Barn Swallow	*Hirundo rustica*	None		Open country, farmyards

Common Name	Scientific Name	Special Status	Observed on the Property	Habitat Type
Bewick's Wren	*Thryomanes bewickii*	None		Shrubby areas
Black Phoebe	*Sayornis nigricans*	None		Near water
Black-headed Grosbeak	*Pheucticus melanocephalus*	None		Woodlands
Brewer's Blackbird	*Euphagus cyanocephalus*	None		Open habitats
Brown-headed Cowbird	*Molothrus ater*	None		Grasslands, urban areas, woodland edges
Bullock's Oriole	*Icterus bullockii*	None		Variety of habitats with trees and nectar source
Bushtit	*Psaltriparus minimus*	None	✓	Oak, riparian, chaparral, scrub
California Towhee	*Pipilo crissalis*	None	✓	Brushy habitats
Chestnut-backed Chickadee	*Poecile hudsonica*	None		Mixed woods
Cliff Swallow	*Petrochelidon pyrrhonota*	None	✓	Urban; open areas near water
Common Raven	*Corvus corax*	None		Riparian, chaparral and woodlands
Cooper's Hawk	*Accipiter cooperi*	WL		Oak woodland, riparian, open fields.
Dark-eyed Junco	*Junco hyemalis*	None		Riparian, oak woodlands
Downy Woodpecker	*Picoides pubescens*	None	✓	Oak woodland, savanna
Eurasian Collared Dove	*Streptopelia decaocto*	None		Open and semi-open area
European Starling	*Sturnus vulgaris*	None	✓	Agricultural, urban
Golden Eagle	*Aquila chrysaetos*	Fully Protected	✓	Mountainous areas, hunts over open plains, fields, valleys
Golden-crowned Sparrow	*Zonotrichia atricapilla*	None		Shrubby, weedy areas
Great Horned Owl	*Bubo virginianus*	None		Varied habitats
Hairy Woodpecker	*Picoides villosus*	None		Oak, riparian, woodlands
Hooded Oriole	*Icterus cucullatus*	None		Variety of habitats with trees and nectar source
House Finch	*Carpodacus mexicanus*	None	✓	Wide habitat range
House Sparrow	*Passer domesticus*	None	✓	Urban
House Wren	*Troglodytes aedon*	None		Shrubby areas
Hutton's Vireo	*Vireo huttonii*	None		Oak, riparian woodlands
Lark Sparrow	*Chondestes grammacus*	Special Animal (Nesting)		Woodland edges
Lesser Goldfinch	*Carduelis psaltria*	None		Riparian, oak woodlands
Mourning Dove	*Zenaida macroura*	None	✓	Open and semi-open area
Northern Flicker	*Colaptes auratus*	None		Woodlands
Northern Mockingbird	*Mimus polyglottos*	None		Riparian, chaparral and woodlands
Northern Rough-winged Swallow	*Stelgidopteryx serripennis*	None		Riparian, lakes

Common Name	Scientific Name	Special Status	Observed on the Property	Habitat Type
Nuttall's Woodpecker	*Picoides nuttallii*	None		Oak, riparian woodlands
Oak Titmouse	*Baeolophus inornatus*	Special Animal (Nesting)	✓	Oak woodland
Orange-crowned Warbler	*Vermivora celata*	None		Oak, riparian, woodlands
Pacific-slope Flycatcher	*Empidonax difficilis*	None		Riparian, oak woodlands
Red-shouldered Hawk	*Buteo lineatus*	None		Oak and riparian woodlands
Red-tailed Hawk	*Buteo jamaicensis*	None		Open, semi-open country
Rock Dove	*Columba livia*	None		Urban areas
Ruby-crowned Kinglet	*Regulus calundula*	None		Oak, riparian woodlands
Ruby-crowned Kinglet	*Regulus calendula*	None		Oak, riparian woodlands
Savannah Sparrow	*Passerculus sandwichensis*	None		Open habitats, marshes, grasslands
Say's Phoebe	*Sayornis saya*	None		Open country, grassland
Sharp-shinned Hawk	*Accipiter striatus*	WL		Open oak and riparian woodland habitats
Song Sparrow	*Melospiza melodia*	None		Oak and Riparian woodland
Spotted Towhee	*Pipilo erythrophthalmus*	None		Dense brushy areas
Tree Swallow	*Tachycineta bicolor*	None		Wooded habitats, water
Turkey Vulture	*Cathartes aura*	None	✓	Open country, oak woodlands
Violet-green Swallow	*Tachycineta thalassina*	None		Woodland habitats
Warbling Vireo	*Vireo gilvus*	None		Oak, riparian, woodlands
Western Bluebird	*Sialia mexicana*	None		Riparian woodland, ranch land
Western Kingbird	*Tyrannus verticalis*	None		Nests in trees, hunts in grasslands
Western Meadowlark	*Sturnella neglecta*	None		Grasslands
Western Screech-owl	*Otus kennicottii*	None		Oak woodlands
Western Scrub Jay	*Aphelocoma californica*	None	✓	Oak and riparian woodlands
Western Tanager	*Piranga ludoviciana*	None		Oak, riparian woodlands
Western Wood Pewee	*Contopus sordidulus*	None		Riparian woodlands
White-breasted Nuthatch	*Sitta carolinensis*	None		Oak savannah, woodland
White-crowned Sparrow	*Zonotrichia leucophrys*	None	✓	Shrubby, weedy areas
White-throated Swift	*Aeronautes saxatalis*	None		Nests in cliffs, forages in woodlands, riparian habitats
Wilson's Warbler	*Wilsonia pusilla*	None		Oak, riparian woodlands
Yellow-rumped Warbler	*Dendroica coronata*	None	✓	Riparian, oak woodlands
Mammals-21				
American Badger	*Taxidea taxus*	SSC		Open grasslands
Black-tailed Jackrabbit	*Lepus californicus*	None		Grasslands

Common Name	Scientific Name	Special Status	Observed on the Property	Habitat Type
Bobcat	*Lynx rufus*	None		Chaparral and woodlands
California Ground Squirrel	*Spermophilus beecheyi*	None	✓	Grasslands
California Mouse	*Peromyscus californicus*	None		Oak woodland, chaparral
California Myotis	*Myotis californicus*	None		Tunnels, hollow trees, crevices
California Vole	*Microtus californicus*	None		Grassland meadows
Coyote	*Canis latrans*	None	✓	Open woodlands, brushy areas, wide ranging
Deer Mouse	*Peromyscus maniculatus*	None		All dry land habitats
Desert Cottontail	*Sylvilagus audubonii*	None	✓	Brushy areas
Feral Cat	*Felis catus*	None		Variety of habitats
Hoary Bat	*Lasiurus cinereus*	None		Variety of habitats, roosts in foliage
Mule Deer	*Odocoileus hemionus*	None		Many habitats
Pallid Bat	*Antrozous pallidus*	SSC		Riparian, woodland, urban
Raccoon	*Procyon lotor*	None	✓	Streams, lakes, rock cliffs, dens in trees
Red Fox	*Vulpes fulva*	None		Forest and open country
Striped Skunk	*Mephitis mephitis*	None		Mixed woods, chaparral
Valley Pocket Gopher	*Thomomys bottae*	None		Variety of habitats
Virginia Opossum	*Didelphis virginiana*	None		Woodlands, streams
Western Harvest Mouse	*Reithrodontomys megalotis*	None		Grassland, dense vegetation near water
Western Mastiff Bat	*Eumops perotis californicus*	SSC		Roosts in cliffs, buildings, trees, and tunnels
Yuma Myotis	*Myotis yumanensis*	Special Animal		Tunnels, hollow trees, buildings, bridges.

FE = Federally Endangered
FT = Federally Threatened
FD = Federally Delisted
SE = State Endangered
ST = State Threatened
SSC = CDFW Species of Special Concern
SA = CDFW Special Animal
FP = CDFW Fully-Protected

3.4 Special Status Species

3.4.1 CNDDB & CNPS search

We conducted a search of the CNDDB (CNDDB May 18, 2017 data) and CNPS On-line Inventory of Rare and Endangered Plants of California for special status species known to occur within 5 miles of the Project site. Sixty seven special status species were reported from the search area (Tables 4 and 5). One additional special status species, western mastiff bat, was added to the list from our knowledge of the area. These records were not reported in the CNDDB, but are known to occur or have the potential to occur near the project site.

3.5 Special Status Species Discussion

3.5.1 Special status plants

Three special status plant species have a low potential to occur near or in the work areas associated with the Project. These species are discussed in more detail below. The majority of work activities will occur in sandy washes devoid of much vegetation, anthropogenic areas, and dense non-native annual grassland. No other special status plants are likely to occur near the project locations.

Elegant Wild Buckwheat (*Eriogonum elegans*) is a CRPR 4.3 annual species occurring in sandy or gravelly soil in cismontane woodlands and valley and foothill grasslands. The Consortium of California Herbaria has a collection from 2014 in the Templeton area approximately seven miles west-southwest of the Project Site (Specimen #OBI79163). Moderately suitable habitat is present in the Project area for this species. Elegant wild buckwheat was found on the property in the active river channel below the ordinary high water mark by LynneDee Althouse in 2017. This species does not occur within areas proposed for disturbance by the project.

San Luis Obispo Owl's-clover (*Castilleja densiflora* ssp. *obispoensis*) is a CRPR 1B.2 subspecies endemic to San Luis Obispo County. It is an annual wildflower that occurs in coastal grasslands in sandy or clay soils. It is not generally known from inland areas; however, there are reports from the Paso Robles region (CNDDB Occurrences 36, 37, and 42). The closest reported occurrence is from 1.1 miles north of the Project near the intersection of Airport Road and Dry Creek Road (CNDDB 42). This species does not occur in the project area.

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. Several occurrences of shining navarretia have been documented to the south and north of the Project site (CNDDB 4, 68, 72). Suitable habitat is not present and this species does not occur in the project area.

TABLE 4. SPECIAL STATUS PLANTS. Rare, threatened, and endangered plants and sensitive natural community occurrences listed within 5 miles of the Project from 7.5 minute topographic quads surrounding the Project (from the CNDDB, CNPS On-line Inventory, and personal observation). Quadrangles searched were Adelaida, York Mountain, Lime Mountain, Cypress Mountain, Templeton, Paso Robles, San Miguel, Bradley, and Tierra Redondo Mountain quads.

	Common and Scientific Names	Fed/State Status Global/State Rank CNPS List	Blooming Period	Habitat Preference	Potential Habitat?	Observed On-site?	Effects of Proposed Activity
1.	**Bristlecone Fir** *Abies bracteata*	None/None 1B.3	n/a	Lower montane coniferous forest. Rocky sites in Monterey and SLO Counties. 210-1600 m.	No. Appropriate habitat not present on project site.	No	No Effect
2.	**Hoover's Bent Grass** *Agrostis hooveri*	None/None 1B.2	April - July	Sandy soil in oak woodland habitat; <600 m. Endemic to SLO & SB Counties.	No. Appropriate soil type not present on project site.	No	No Effect
3.	**Douglas' Fiddleneck** *Amsinckia douglasiana*	None/None 4.2	March – June	Unstable shaly sedimentary slopes; (100) 150–1600 m. SCoR, w WTR	No. Appropriate soil type and/or habitat not present on project site.	No	No Effect
4.	**Oval-leaved Snapdragon** *Antirrhinum ovatum*	None/None 4.2	May - November	Heavy, adobe-clay soils on gentle, open slopes, also disturbed areas; 200-1000 m. s SnJV, s SCoRI	No. Appropriate soil type not present on project site.	No	No Effect
5.	**Hoover's Manzanita** *Arctostaphylos hooveri*	None/None 4.3	February - April	Rocky slopes, upland chaparral, open ponderosa-pine forest near coast; 450-1100 m. SCoRO	No. Appropriate habitat not present on project site.	No	No Effect
6.	**Bishop Manzanita** *Arctostaphylos obispoensis*	None/None 4.3	February - March	Rocky, gen serpentine soils, chaparral, open close-cone forest near coast; 60-950 m; SCoRO	No. Appropriate habitat not present on project site.	No	No Effect

	Common and Scientific Names	Fed/State Status Global/State Rank CNPS List	Blooming Period	Habitat Preference	Potential Habitat?	Observed On-site?	Effects of Proposed Activity
7.	**Indian Valley Spineflower** *Aristocapsa insignis*	None/None 1B.2	May - September	Foothill woodland; 300-600 m. SCoRI (Monterey, SLO Counties)	No. Appropriate habitat not present on project site.	No	No Effect
8.	**Salinas Milk-vetch** *Astragalus macrodon*	None/None 4.3	April - July	Eroded pale shales or sandstone, or serpentine alluvium; 300-950 m. SCoR	No. Appropriate soil type not present on project site.	No	No Effect
9.	**Round-leaved Filaree** *California macrophylla*	None/None 1B.2	March - May	Clay soils in cismontane woodland, valley and foothill grassland; 15-1200 m. ScV, n SnJV, CW, SCo, n ChI	No. Appropriate soil not present on project site.	No	No Effect
10.	**La Panza Mariposa Lily** *Calochortus simulans*	None/None 1B.3	April - May	Grassland, oak woodland & pine forest, on sand, granite, or serpentine; <1100 m. Endemic to SLO County	No. Appropriate soil and habitat is not present on project site.	No	No Effect
11.	**Dwarf Calycadenia** *Calycadenia villosa*	None/None 1B.1	May - October	Dry, rocky hills, ridges, in chaparral, woodland, meadows and seeps; <1100 m. c&s SCoRO	No. Suitable soil and habitat type not present on project site	No	No Effect
12.	**Santa Cruz Mountains Pussypaws** *Calyptridium parryi var. hesseae*	None/None 1B.1	May – August	Sandy or gravelly openings in chaparral and cismontane woodland. 700-1100 m.	No. Suitable habitat not present on the project site.	No	No Effect
13.	**Hardham's Evening-primrose** *Camissoniopsis hardhamiae*	None/None 1B.2	April - May	Decomposed carbonate soils, in chaparral, cismontane woodland. Monterey, SLO Counties	No. Suitable habitat not present on the project site.	No	No Effect

	Common and Scientific Names	Fed/State Status Global/State Rank CNPS List	Blooming Period	Habitat Preference	Potential Habitat?	Observed On-site?	Effects of Proposed Activity
14.	**San Luis Obispo Owl's-clover** *Castilleja densiflora var. obispoensis*	None/None 1B.2	April	Coastal grassland, <100 m. Endemic to SLO County.	Yes. Appropriate habitat is present on the project site.	No	No Effect
15.	**Lemmon's Jewelflower** *Caulanthus lemmonii*	None/None 1B.2	March – May	Dry, exposed slopes, grassland, chaparral, scrub; 80-1100 m. sw SnJv, se SnFrb, e SCoRO, SCoRI	No. Suitable habitat not present on the project site.	No	No Effect
16.	**Lompoc Ceanothus** *Ceanothus cuneatus var. fascicularis*	None/None 4.2	February - April	Chaparral on coastal sandy mesas; <400 m. s Cco	No. Appropriate habitat not present on project site.	No	No Effect
17.	**Santa Lucia Purple Amole** *Chlorogalum purpureum var. purpureum*	FT/None 1B.1	April - June	Cismontane woodland, valley and foothill grassland, often with blue oaks. 300-330 m. Monterey, SLO Counties	No. Outside known range of this species.	No	No Effect
18.	**Douglas' Spineflower** *Chorizanthe douglasii*	None/None 4.3	April - July	Foothill woodland, pine forest, chaparral, sandy or gravelly soils; 200-1600 m. e SCoRO, SCoRI	No. Appropriate habitat is not present on project site.	No	No Effect
19.	**Palmer's Spineflower** *Chorizanthe palmeri*	None/None 4.2	May – August	Serpentine; 60-700m. SCoRO (w Monterey, w San Luis Obispo cos.)	No. Appropriate habitat not present on project site.	No	No Effect
20.	**Straight-awned Spineflower** *Chorizanthe rectispina*	None/None 1B.3	May - July	Chaparral, dry woodland in sandy soil; 200-600 m. SCoRO	No. Appropriate habitat not present on project site.	No	No Effect

	Common and Scientific Names	Fed/State Status Global/State Rank CNPS List	Blooming Period	Habitat Preference	Potential Habitat?	Observed On-site?	Effects of Proposed Activity
21.	**Monkey-flower Savory** *Clinopodium mimuloides*	None/None 4.2	June – October	Moist places, streambanks, chaparral, woodland; 400-1800 m. CCo, SCoRO, WTR, SnGb	No. Appropriate habitat not present on project site.	No	No Effect
22.	**Small-flowered Morning-glory** *Convolvulus simulans*	None/None 4.2	April - June	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. Appropriate soil type not present on project site.	No	No Effect
23.	**Small-flowered Gypsum-loving Larkspur** *Delphinium gypsophilum ssp. parviflorum*	None/None 3.2	March - June	Clay soil in cismontane woodland; 200-350 m.	No. Appropriate soil type not present on project site.	No	No Effect
24.	**Eastwood's Larkspur** *Delphinium parryi ssp. eastwoodiae*	None/None 1B.2	March – May	Coastal chaparral, grassland, on serpentine; 100-500m sCCo, SCoRO (San Luis Obispo County)	No. Appropriate habitat not present on project site.	No	No Effect
25.	**Umbrella Larkspur** *Delphinium umbraculorum*	None/None 1B.3	April - June	Moist oak forest; 400-1600 m. SCoRO, WTR.	No. Appropriate moist habitat not present on project site.	No	No Effect
26.	**Koch's Cord Moss** *Entosthodon kochii*	None/None 1B.3	n/a	Cismontane woodland. Moss growing on soil;	No. Appropriate soil type not present on project site.	No	No Effect

	Common and Scientific Names	Fed/State Status Global/State Rank CNPS List	Blooming Period	Habitat Preference	Potential Habitat?	Observed On-site?	Effects of Proposed Activity
27.	**Yellow-flowered Eriastrum** *Eriastrum luteum*	None/None 1B.2	May – June	Bare sandy decomposed granite slopes in cismontane woodland, chaparral, forest; 360-1000 m. SCoR, Monterey, SLO Counties	No. Appropriate habitat not present on project site.	No	No Effect
28.	**Elegant Wild Buckwheat** *Eriogonum elegans*	None/None 4.3	May – November	Sand or gravel; 200 – 1200 m. SnFrB, SCoR, WTR	Yes. Appropriate soil type and habitat present in sandy river bottom.	Yes	No Effect
29.	**Jepson's Woolly Sunflower** *Eriophyllum jepsonii*	None/None 4.3	April – June	Dry oak woodland; 200-1000 m. SnFrB, SCoRI	No. Outside known range for species.	No	No Effect
30.	**San Benito Poppy** *Eschscholzia hypecoides*	None/None 4.3	March – June	Grassy area in woodland, chaparral; 200-1600 m. SCoRI	No. Appropriate habitat not present on project site.	No	No Effect
31.	**Hogwallow Starfish** *Hesperevax caulescens*	None/None 4.2	March - June	Clay soils, mesic sites in valley and foothill grassland; 0-505 m.	No. Appropriate soil type not present on project site.	No	No Effect
32.	**Mesa Horkelia** *Horkelia cuneata var. puberula*	None/None 1B.1	February - September	Dry, sandy coastal chaparral; gen 70-700 m. SCoRO, SCo.	No. Appropriate habitat not present on project site.	No	No Effect
33.	**Kellogg's Horkelia** *Horkelia cuneata var. sericea*	None/None 1B.1	April - September	Old dunes, coastal sand hills; <200 m. CCo	No. Appropriate habitat not present on project site.	No	No Effect
34.	**Santa Lucia Dwarf Rush** *Juncus luciensis*	None/None 1B.2	April – July	Vernal pools, ephemeral drainages, wet meadow habitats, and streams; 300-1900 m. CaRH, n SNH, SCoRO, TR, PR, MP.	No. Appropriate habitat not present on project site.	No	No Effect

	Common and Scientific Names	Fed/State Status Global/State Rank CNPS List	Blooming Period	Habitat Preference	Potential Habitat?	Observed On-site?	Effects of Proposed Activity
35.	**Jared's Pepper-grass** *Lepidium jaredii ssp. jaredii*	None/None 1B.2	March - May	Alkali bottoms, slopes, washes, <500 m. SCoRI, SnJV	No. Appropriate alkali habitat not present on project site.	No	No Effect
36.	**Davidson's Bush-mallow** *Malacothamnus davidsonii*	None/None 1B.2	June - January	Sandy washes in coastal scrub, riparian woodland, chaparral; 180-855 m. c SCoRO, SCo	No. Appropriate habitat not present on project site.	No	No Effect
37.	**Jones' Bush-mallow** *Malacothamnus jonesii*	None/None 4.3	May - July	Open chaparral in foothill woodland; 250-830 m. SCoRO (Monterey, SLO Counties).	No. Appropriate habitat not present on project site.	No	No Effect
38.	**Carmel Valley Malacothrix** *Malacothrix saxatilis* var. *arachnoidea*	None/None 1B.2	March - December	Rock outcrops, steep rocky road cuts in chaparral; 25-1215 m. Endemic to Monterey County	No. Appropriate habitat not present on project site.	No	No Effect
39.	**Woodland Woollythreads** *Monolopia gracilens*	None/None 1B.2	March – July	Chaparral, serpentine grassland, cismontane woodland, sandy to rocky soils; SnFrB, SCoR	No. Appropriate habitat not present on project site.	No	No Effect
40.	**Spreading Navarretia** *Navarretia fossalis*	FT/None 1B.1	April - June	Chenopod scrub, marshes and swamps, playas, and vernal pools; 30-1300m. SCoRO, SCo, to Baja Cal.	No. Appropriate habitat not present on project site.	No	No Effect
41.	**Shining Navarretia** *Navarretia nigelliformis* ssp. *radians*	None/None 1B.2	May - July	Vernal pools, clay depressions, dry grasslands; 150-1000 m. SCoR	No. Appropriate soil type and/or habitat not present on project site.	No	No Effect

	Common and Scientific Names	Fed/State Status Global/State Rank CNPS List	Blooming Period	Habitat Preference	Potential Habitat?	Observed On-site?	Effects of Proposed Activity
42.	**Prostrate Vernal Pool Navarretia** *Navarretia prostrata*	None/None 1B.1	April - June	Vernal pools or alkaline soils in grasslands; 15-700 m. w SnJV, SCoRI, c SCo, PR	No. Appropriate habitat not present on project site.	No	No Effect
43.	**Large-flowered Nemacladus** *Nemacladus secundiflorus* var. *secundiflorus*	None/None 4.3	April – May	Dry, gravelly slopes; 200-2000m. s SNH, SCoR	No. Appropriate habitat not present on project site.	No	No Effect
44.	**Hooked Popcornflower** *Plagiobothrys uncinatus*	None/None 1B.2	April - May	Canyon sides, chaparral; on sandstone 300-600 m. n SCoR (Gabilan Range, Santa Lucia Mountains)	No. Appropriate habitat not present on project site.	No	No Effect
45.	**San Gabriel Ragwort** *Senecio astephanus*	None/None 4.3	January - April	Drying alkaline flats, chaparral, cismontane woodland, coastal scrub; <400 m. CW, SCo, ChI	No. Appropriate habitat not present on project site.	No	No Effect
46.	**Santa Cruz Microseris** *Stebbinsoseris decipiens*	None/None 1B.2	April - May	Open areas in loose soil derived from sandstone, shale, or serpentine; 10-500 m. n & c CCo	No. Appropriate soil type not present on project site.	No	No Effect

California Geographic Subregion 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)

3.5.2 Special status animals

Five special status animal species could potentially occur near or in the work areas associated with the Project. No other special status animals are likely to occur near the project locations.

Silvery Legless Lizard (*Anniella pulchra pulchra*) is a California Species of Special Concern that inhabits friable soils in a variety of habitats from coastal dunes to oak woodlands and chaparral. Appropriate habitat is present underneath the canopy of the valley oak woodland habitat within the Project site. Silvery legless lizards were not observed during Project site visits but are expected to occur in oak savana habitats and have been documented recently approximately 2000 feet east of the Project site. Preconstruction surveys are recommended prior to soil disturbance near oak trees (refer to Sections 4.0 and 5.0).

Pallid Bat *(Antrozous pallidus)* is a California Species of Special Concern. This is a large, long-eared bat occurring throughout the state from deserts to moist forests. *Antrozous pallidus* is primarily a crevice roosting species and selects roosts where they can retreat from view. They frequently occur in oak woodlands where they roost temporarily in tree cavities. Attics may be used as roosts and during hot days they may emerge from crevices and roost on open rafters. Pallid bats prefer caves and rock crevices as communal wintering or maternity colony sites and would therefore be unlikely to occur in Project area. The closest reported occurrence is approximately 8 miles north of the Project site near River Road Bridge in 2001 (CNDDB 104) Appropriate habitat may be present in the oak trees within the Project site.

Western Mastiff Bat (*Eumops perotis californicus*) is a California Species of Special Concern that roosts in crevices in a variety of materials, including buildings, tunnels, boulders, and trees. This species could occur in trees with loose bark on the Project site or in nearby trees. Western mastiff bats were not observed during Project site visits.

American Badger (*Taxidea taxus*) is a California Special Concern species known from open grassland habitats throughout San Luis Obispo County and elsewhere in California. Badgers are highly mobile and hunt ground squirrels and other small and medium-sized prey. The closest reported occurrence of American badger is approximately 6 miles south of the Project site along Highway 101 in 2003 (CNDDB 23). Although no signs of badgers were observed on the property during our site surveys in 2016, appropriate habitat for badgers may be found outside the Project site. Preconstruction surveys are recommended prior to construction activities that affect grassland and oak savanna habitats (refer to Sections 4.0 and 5.0).

San Joaquin kit fox (*Vulpes macrotis mutica)* is a federally listed endangered species and a state listed threatened species. They are known from the Carrizo Plains and Camp Roberts, with transient individuals known to move between the two populations. The project site is within the currently mapped range of San Joaquin kit fox. Removal of grassland habitat on the Project site would result in a loss of kit fox habitat. Preconstruction surveys are recommended prior to construction activities (refer to Sections 4.0 and 5.0).

TABLE 5. SPECIAL STATUS ANIMALS. Rare, threatened, and endangered species and sensitive natural community occurrences listed within 5 miles of the Project from 7.5 minute topographic quads surrounding the Project (from the CNDDB, CNPS On-line Inventory, and personal observation). Species added to the list from our knowledge of the area are indicated with an asterisk (*). Quadrangles searched were Paso Robles, Estrella, Adelaida, Templeton, Creston, York Mountain, San Miguel, Bradley, Ranchito Canyon quads.

	Common and Scientific Names	Fed/State Status CDFW Rank	Nesting/ Breeding Period	Habitat Preference	Potential Habitat?	Observed On-site?	Effect of Proposed Activity
1.	**Tricolored Blackbird** *Agelaius tricolor*	None/Cand. CE SSC	March 15 - August 15	Requires open water, protected nesting substrate, & foraging area with insect prey near nesting colony.	No. Appropriate nesting habitat is not present on project site	No	No Effect
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.	Yes. Appropriate soil type and habitat is present on project site.	No	Potential Adverse Effect Can Be Mitigated
3.	**Pallid Bat** *Antrozous pallidus*	None/None SSC	Spring - Summer	Rock crevices, caves, tree hollows, mines, old buildings, and bridges.	Yes. Appropriate roosting habitat is present underneath Highway 46 overpass.	No	No Effect
4.	**Golden Eagle** *Aquila chrysaetos*	None/None FP	March 15 - August 15	Nests in large, prominent trees in valley and foothill woodland. Requires adjacent food source.	Not likely. Foraging area on site is limited and adjacent to frequent disturbance.	No	No Effect
5.	**Long-eared owl** *Asio otus*	None/None SSC	??	Riparian bottomlands with adjcent open lands	No. Minimal Appropriate nesting and foraging habitat is present on site.	No	No Effect
6.	**Burrowing Owl** *Athene cunicularia*	None/None SSC	March 15 - August 15	Burrows in squirrel holes in open habitats with low vegetation.	No. Minimal appropriate nesting and foraging habitat is present on site.	No	No Effect

	Common and Scientific Names	Fed/State Status CDFW Rank	Nesting/ Breeding Period	Habitat Preference	Potential Habitat?	Observed On-site?	Effect of Proposed Activity
7.	**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.	No. Appropriate vernal pool habitat is not present on the property.	No	No Effect
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. Appropriate habitat not present on project site.	No	No Effect
9.	**Western Pond Turtle** *Emys marmorata*	None/None SSC	April - August	Permanent or semi-permanent streams, ponds, lakes.	No. Appropriate habitat not present on project site.	No	No Effect
10.	**Western Mastiff Bat*** *Eumops perotis californicus*	None/None SSC	Spring-Fall	Roosts in cliffs, buildings, trees, and tunnels.	Yes. Appropriate roosting habitat is present underneath Highway 46 overpass.	No	No Effect
11.	**Bald Eagle** *Haliaeetus leucocephalus*	None/CE FP	March 15 - August 15	Nests within 1 mile of water in tall live tree with open branches.	No. Appropriate habitat not present on project site.	No	No Effect
12.	**Loggerhead Shrike*** *Lanius ludovicianus*	None/None SSC	March 15 - August 15	Nests in shrubs, trees near open areas	No. Minimal Appropriate nesting and foraging habitat is present on site.	No	No Effect
13.	**San Joaquin Coachwhip** *Masticophis flagellum ruddocki*	None/None SSC	May	Open, dry, treeless areas, including grasslands and saltbush scrub; takes refuge in burrows and under shaded vegetation	No. Appropriate habitat not present on project site.	No	No Effect

	Common and Scientific Names	Fed/State Status CDFW Rank	Nesting/ Breeding Period	Habitat Preference	Potential Habitat?	Observed On-site?	Effect of Proposed Activity
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 not present on project site.	No	No Effect
15.	**Salinas Pocket Mouse** *Perognathus inornatus psammophilus*	None/None SSC	n/a	Annual grassland and desert shrub in Salinas Valley, with friable soils	No. Appropriate habitat and soil type not present on project site.	No	No Effect
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.	No. Appropriate habitat is not present on project site.	No	No Effect
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. Appropriate habitat and soil type not present on project site.	No	No Effect
18.	**Western Spadefoot** *Spea hammondii*	None/None SSC	January – August	Vernal pools in grassland and woodland habitats	No. Appropriate habitat and soil type not present on project site.	No	No Effect
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. Appropriate habitat and soil type not present on project site.	No	No Effect

	Common and Scientific Names	Fed/State Status CDFW Rank	Nesting/ Breeding Period	Habitat Preference	Potential Habitat?	Observed On-site?	Effect of Proposed Activity
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.	Yes. Appropriate habitat present on project site.	No	Potential Adverse Effect Can Be Mitigated
21.	**Least Bell's Vireo** *Vireo bellii pusillus*	FE/CE WL	March 15 - August 15	Riparian habitat, near water or dry streambed, <2000 ft. Nests in willows, mesquite, Baccharis.	No. Minimal Appropriate habitat present on project site.	No	No Effect
22.	**San Joaquin Kit Fox** *Vulpes macrotis mutica*	FE/CT SA	December – July	Annual grasslands or grassy open stages with scattered shrubby vegetation. Needs loose textured sandy soil and prey base.	Yes. Unlikely, but appropriate habitat present on project site.	No	Potential Adverse Effect Can Be Mitigated

*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

SA: CDFW Special Animal
SSC: CDFW Species of Special Concern
FP: CDFW Fully-Protected
WL: CDFW Watch List

4.0 Potential Impacts

Potential impacts to biological resources from development on the Project site are based on site plans created by Wallace Group. (Appendix A). The proposed Project would permanently remove annual grassland habitat. No riparian vegetation or oak trees will be impacted during construction activities. Impacts to special status species are not anticipated or can be avoided.

4.1 Potential Habitat Impacts

4.1.1 California annual grassland

The proposed tramway and overflow parking area would permanently remove approximately 0.25 acre of grassland habitat. The grassland habitat onsite is typical of California annual grasslands dominated by non-native grass species. The loss of annual grassland habitat does not require mitigation except where it affects special status species (see Section 4.3.5).

4.1.2 Fremont cottonwood riparian

The proposed tramway and overflow parking area will have no impact on riparian vegetation. Placement of the timber tramway will not impact riparian trees and will not disturb the ground underneath the canopy of these trees (Photo 5). The tramway will be placed over sandy habitat and will convert 0.13 acres of sandy riparian habitat to linear transportation. This impact will be mitigated by planting native riparian vegetation near the tram trail (see Section 5.1.2).

4.1.3 Valley oak savanna

The proposed tramway and overflow parking area has been designed to have no impacts the valley and blue oak trees found throughout the Project site. The site plans require presence of a certified arborist during work adjacent to oak trees in order to ensure no impacts occur within the CRZ of any oak tree. Mitigation is not required as no impacts are expected to occur.

4.1.4 Anthropogenic

The proposed tramway and overflow parking area would impact 1.69 acres of anthropogenic areas east of Huer Huero Creek. Special status species and other sensitive biological resources are not expected to be present in the anthropogenic habitat on site. Mitigation is not required for impacts to anthropogenic habitat.

4.2 Potential Impacts to Common Wildlife

4.2.1 Nesting habitat

Impacts to or take of nesting birds could occur if grading or tramway placement is conducted during nesting season (March 1 through August 31). Take of common nesting birds is prohibited by federal and state code. Impacts to or take of common nesting birds can be avoided (see section 5.2.1).

4.2.2 Reduction of wildlife movement corridors

The Project is located adjacent and within Huer Huero Creek, a wildlife movement corridor. Common animal species such as red fox, coyote, and mule deer may pass through the site on occasion. The tramway and overflow parking area would be used during the daytime in the summer season, and would not block movement of common wildlife species along Huer Huero Creek.

4.2.3 Displacement and/or take

Some common wildlife species, such as burrowing mammals, currently living or transient on the Project site would be displaced from tramway route. Take of common species during construction or operation of the tram is unlikely.

4.3 Potential Impacts to Special Status Species

4.3.1 Special status plants

Special status plants were not identified on the Project site during surveys in 2016 and 2017. Impacts to special status plants are not anticipated from the proposed Project.

4.3.2 Silvery legless lizard

Soil disturbance underneath the canopy of oak trees could impact silvery legless lizards. Grubbing or leveling the ground with mechanized equipment could result in take of this species. Surveys for legless lizards and relocation of any found prior to grubbing or ground leveling would prevent loss of legless lizards (refer to Section 5.3.2).

4.3.3 Pallid bat

Trees will not be removed or disturbed for the project and roosting habitat in crevices under the Highway 46 Bridge will not be disturbed, therefore no disturbance to pallid bat is expected.

4.3.4 Western mastiff bat

Trees will not be removed or disturbed for the project and roosting habitat in crevices under the Highway 46 Bridge will not be disturbed, therefore no disturbance to Western mastiff bat is expected.

4.3.5 San Joaquin kit fox

The Project site is within the currently mapped range of San Joaquin kit fox. Removal of any grassland habitat on the Project site would result in a loss of kit fox habitat. Removal of any designated San Joaquin kit fox habitat would be a significant but mitigable impact (refer to Section 5.3.5).

4.3.6 American badger

Annual grassland habitat usable by badgers occurs on the Project site and would be removed by placement of portions of the tramway. Indirect impacts to badgers include the loss of foraging and denning habitat. Direct impacts could occur if a badger takes up residence on the site. The loss of grassland habitat is not a significant impact, although the cumulative loss of habitat in the Paso Robles region has negatively affected badger populations in the area. Disturbance of denning badgers, if present, can be avoided (refer to Section 5.3.6).

5.0 Recommendations and Mitigations

5.1 Habitat Mitigations

5.1.1 California annual grassland

The annual grassland habitat is adjacent to an open space south of the project site. To prevent damage to the open space grassland, and potential nesting birds, we recommend the following:

BR-1. **To avoid impacts to biological resources within the proposed open space area,** the boundaries of the construction zone shall be clearly delineated to prevent equipment or vehicles from entering the open space area. Orange construction fencing or stakes shall be placed at the limits of construction and shall be maintained in good condition throughout the construction phases of the project.

5.1.2 Fremont cottonwood riparian

Fremont cottonwoods will not be affected by the Project. The tramway will be placed over sandy habitat and will convert 0.13 acre of sandy riparian habitat to linear transportation. This impact will be mitigated by planting riparian shrub and tree species that occur naturally in this riparian zone. Impacts will be mitigated at a 2:1 ratio on site (0.26 acre on site). Shrubs and trees will be planted that mimic the subject reach of Huer Huero Creek where they are generally widely spaced, often in patches with several shrubs and occasionally a tree within discrete locations separated by sparsely vegetated sandy patches.

BR-2. **To mitigate for reduction of sandy riparian habitat**, a combination of native riparian species that occur on the flood plain of the subject reach of Huer Huero Creek will be selected for restoration planting. Species such as mule fat *(Baccharis salicifolia),* wild tarragon *(Artemisia dracunculus),* coyote bush *(Baccharis pilularis)* and two valley oak trees will be planted within a 0.26 acre area near the tram trail. A total of 50 shrubs will be arranged in groups three to four in 14 groups spaced 20-feet on center. Individual shrubs will be planted in weed mats, and mulched 2-feet from trunk. Patches of herbaceous and grassland vegetation will remain between patches.

The mitigation plantings will be temporarily irrigated for 3 years, and weaned off of summer water during years 4 and 5. Mitigation plantings will be weeded and

maintained for five years. Noxious weeds will be removed. Weeds to be removed include yellow starthistle and tree-of-heaven where it occurs in the mitigation area.

If sufficient appropriate grassland riparian habitat is not available on property owned by The Ravine or its easement, and if alternative mitigation is acceptable to CDFW and the RWQCB, owners of The Ravine may negotiate an in lieu payment with the Upper-Salinas Las Tablas Resource Conservation District and the City of Paso Robles for 0.52 acre of cottonwood riparian mitigation habitat.

5.1.3 Valley oak savanna

No impacts to valley oak savanna habitat will occur due to development of the Project; therefore no mitigation is required.

5.1.4 Anthropogenic

No mitigation is recommended for impacts to anthropogenic habitat.

5.2 Common Wildlife Mitigations

5.2.1 Nesting habitat

Migratory non-game native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory non-game birds (as listed under the Federal MBTA).

BR-3. Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 1 and August 31, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during the breeding season from March 1 to August 31. If construction activities must be conducted during this period, nesting bird surveys shall take place within one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. Construction activities shall observe a 300-foot buffer for occupied raptor nests. A 500-foot buffer shall be observed from occupied nests of all special status species. A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements.

5.2.2 Reduction of wildlife movement corridors

Impacts to significant wildlife movement corridors are not anticipated from the proposed Project; therefore no mitigation is recommended.

5.2.3 Displacement and/or take

Wildlife expected to occur on the Project site includes common species such as gray fox, mule deer, coyote, bobcat, striped skunk, and several species of rodents. Mitigations for impacts to common wildlife species are usually not required.

5.3 Mitigation for Impacts to Special Status Species

5.3.1 Special status plants

Special status plants were not observed on the Project site during surveys in 2016 and 2017 and ground disturbance impacts are minimal. Sensitive plant species do not occur within the Project site, therefore no mitigation is required.

5.3.2 Silvery legless lizard

Prior to construction activities:

BR-4. **A biological monitor qualified to capture and move legless lizards** shall rake loose soil within oak and shrub habitats prior to any ground disturbance activity to find and move legless lizards. Any silvery legless lizards found shall be moved to safe habitat outside the project area.

5.3.3 Pallid bat

Roosting bats and/or maternal bat colonies may be present in trees with appropriate cavities or loose bark. Trees will not be removed or trimmed.

5.3.4 Western mastiff bat

Roosting bats and/or maternal bat colonies may be present in trees with appropriate cavities or loose bark. Trees will not be removed or trimmed.

5.3.5 San Joaquin kit fox

San Joaquin kit fox could occur in the project area. The Project will result in a net loss of kit fox habitat. The following mitigation recommendations are designed to reduce the potential for direct impacts to kit fox to a less than significant level. The Project site is within the three-to-one mitigation ratio area (acres replaced per acres impacted).

BR-5. **Prior to issuance of grading and/or construction permits,** the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (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 0.75 acres of suitable habitat in the kit fox corridor area (e.g. within the

San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

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

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

   Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total $1875. This fee is calculated based on the current cost-per-unit of $2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

c. Purchase **.75** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

   Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (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 $1875. This fee is calculated based on the current cost-per-credit of $2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

BR-6. **Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:

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

ii. **The qualified biologist shall conduct weekly site visits during site-disturbance activities** (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-19 through BR-26. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-19iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.

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

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

iv. **In addition,** the qualified biologist shall implement the following measures:

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

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

- Kit fox pupping den: 150 feet

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

BR-7. **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-8. **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-9. **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-10. **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-11. **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-12. **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-13. **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-14. **During the site-disturbance and/or construction phase,** any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFG by telephone. In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to CDFG for care, analysis, or disposition.

BR-15. **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

5.3.6 American badger

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

BR-16. **A pre-construction survey shall be conducted within thirty days of beginning work** on the project to identify if badgers are using the site. The results of the survey shall be

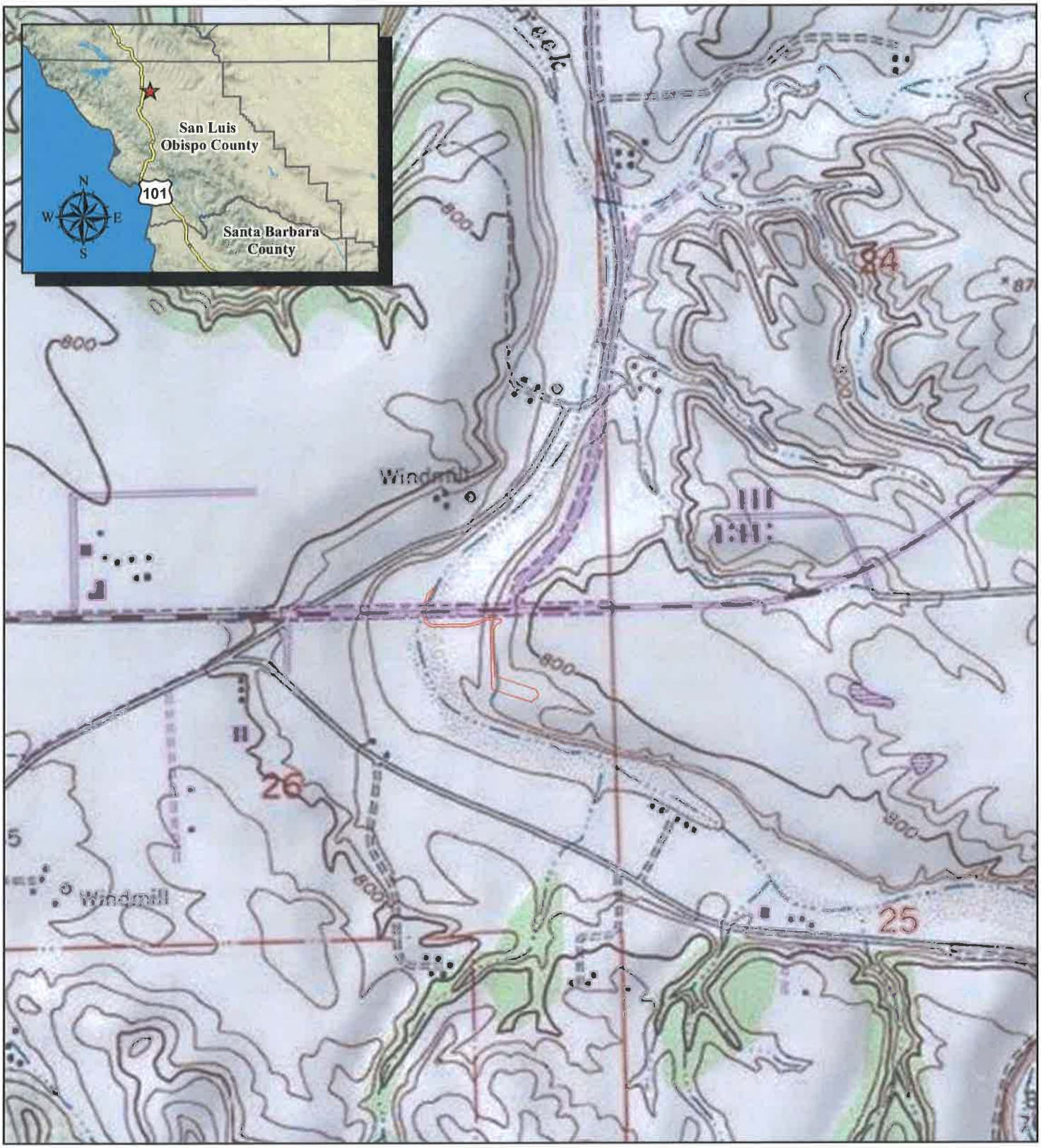
sent to the project manager, CDFG, and the City of Paso Robles. If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property, and shall examine both old and new dens. If potential badger dens are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

6.0 Figures

- Figure 1. Location Map
- Figure 2. Aerial Photo
- Figure 3. CNDDB Animals and USFWS Critical Habitat
- Figure 4. Project Site Habitat

Exhibit B - MND Resolution

Figure 1. USGS Topographic Map



0 1,000 2,000 4,000 Feet

Study Area

The Ravine
Tramway Crossing
Paso Robles, CA 93446

Map Updated: May 19, 2017 04:13 PM

ALTHOUSE AND MEADE, INC.
BIOLOGICAL AND ENVIRONMENTAL SERVICES

Exhibit B - MND Resolution

Figure 2. Aerial Photograph

0 100 200 400 600 800 1,000 Feet

Study Area

N W E S

The Ravine
Tramway Crossing
Paso Robles, CA 93446

2016 San Luis Obispo County
NAIP Aerial Imagery
Map Updated: May 19, 2017, 04:12 PM

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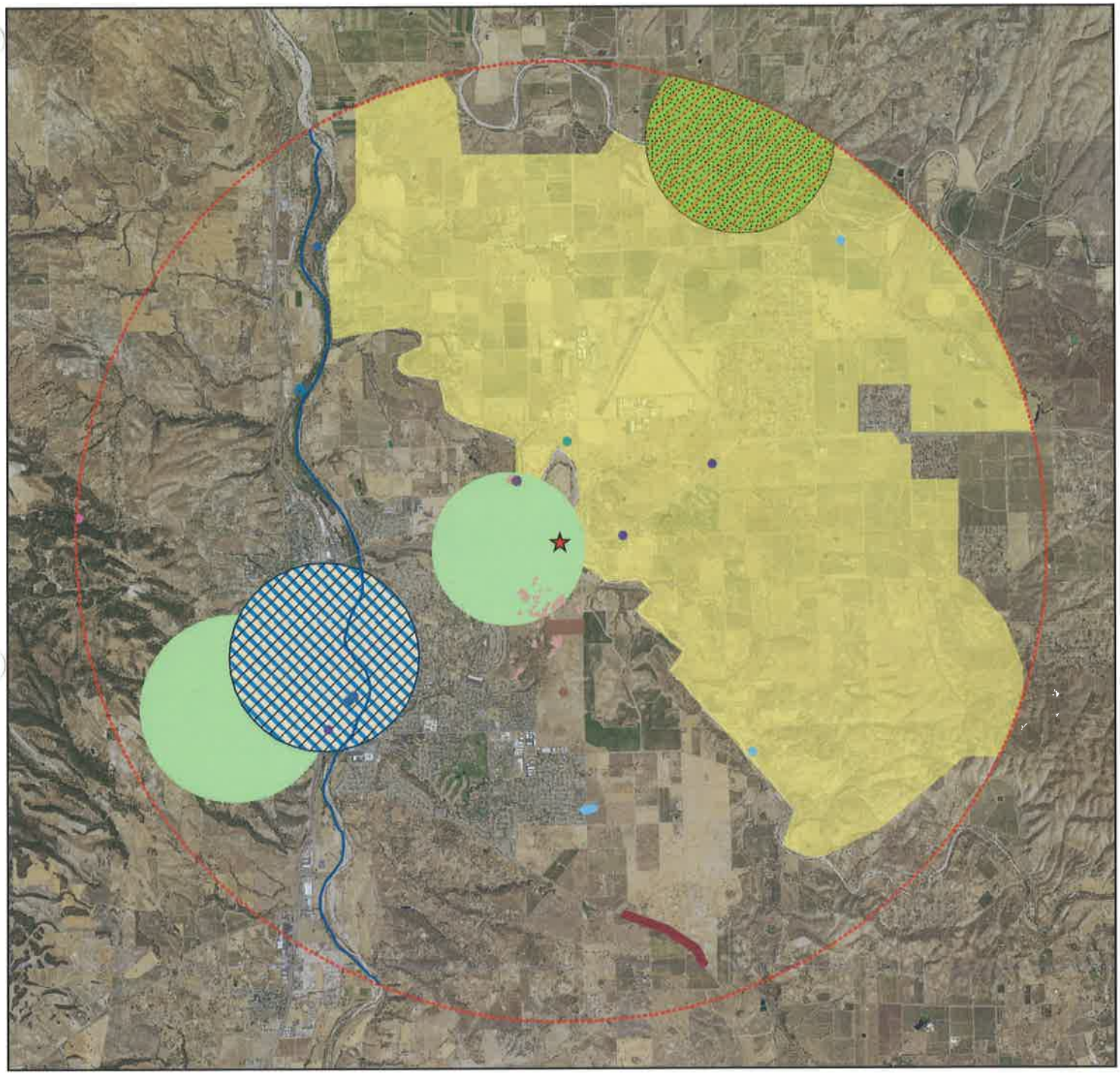
Exhibit B - MND Resolution

Figure 3. CNDDB & USFWS Critical Habitat Map



★ Project Location

5 Mile Buffer

Critical Habitat

Steelhead

Vernal pool fairy shrimp

CNDDB

Atascadero June beetle

Jared's pepper-grass

Lemmon's jewelflower

Lompoc grasshopper

San Joaquin kit fox

San Luis Obispo owl's-clover

Santa Lucia dwarf rush

golden eagle

least Bell's vireo

oval-leaved snapdragon

round-leaved filaree

shining navarretia

vernal pool fairy shrimp

western pond turtle

western spadefoot

woodland woollythreads

The Ravine
Tramway Crossing
Paso Robles, CA 93446

2014 San Luis Obispo County
NAIP Aerial Photography
Map Updated: May 18, 2017, 02:23 PM

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Exhibit B - MND Resolution

Figure 4. Project Area Habitat

The Ravine
Tramway Crossing
Paso Robles, CA 93446

2016 San Luis Obispo County
NAIP Aerial Imagery
Map Updated: May 22, 2017, 01:13 PM

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BIOLOGICAL AND ENVIRONMENTAL SERVICES

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8.0 Photographs

Photo 1. View west down proposed pathway (grass firebreak) that parallels eastbound Highway 46. Photo taken November 21, 2016.

Photo 2.

Photo 3. View south from The Ravine to floodplain, left of main channel on the right side of the photo. Timber tramway to be placed between rip-rap and concrete piers. Photo taken November 21, 2016.

Photo 4. View East across Huer Huero Creek toward toe of rip-rap on floodplain. Ravine Water Park is left of the photo, the secondary parking lot is located on the hill behind trees (right). Mulefat is shrub on flood plain west of southern concrete bridge pier. Composite photo.

Photo 5. View south from The Ravine (light pole on the left) toward location of tramway, on the floodplain behind cottonwood trees.

A

B

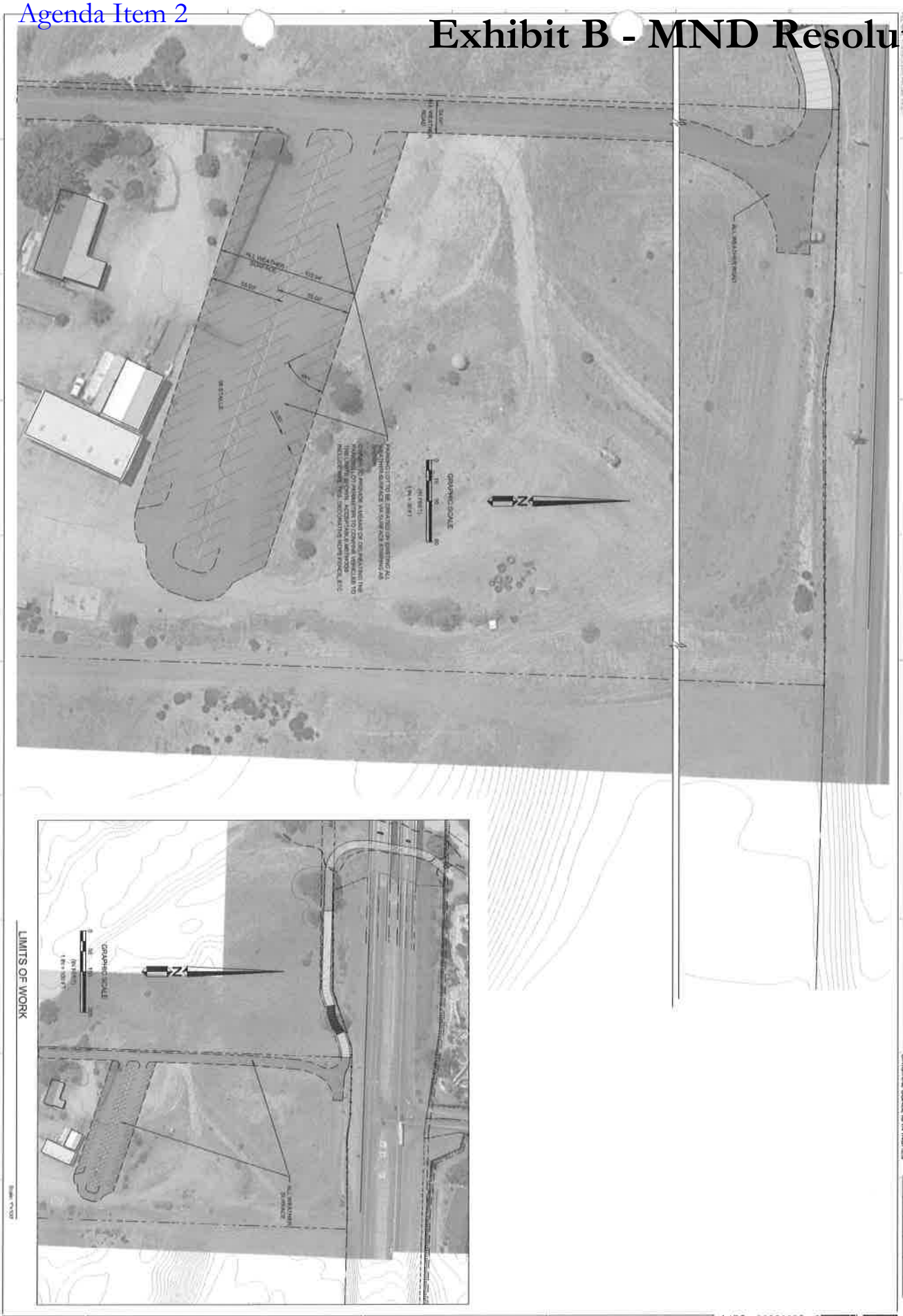
Photo 6. Native grasses such as saltgrass (A) and creeping wildrye (B) stabilize sand in this reach of Huer Huero Creek.

Photo 7. Native herbaceous plants such as San Joaquin milkvetch (A) and jimsonweed (B) occur in parts of the riparian zone not proposed to be impacted. Photo taken May 21, 2017.

Photo 8. Elegant buckwheat, an annual herb, is common in the riverbed during the late spring.

9.0 Appendix A – Site Plans

Exhibit B - MND Resolution



RAVINE WATER PARK

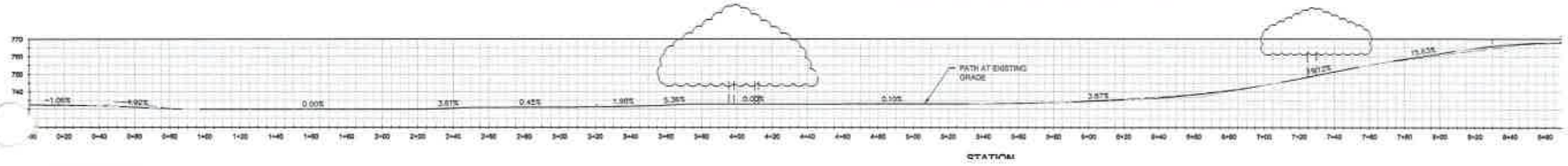
MULTI-USE PATH AND OVERFLOW PARKING

DRAWING NO. C1.1 OF

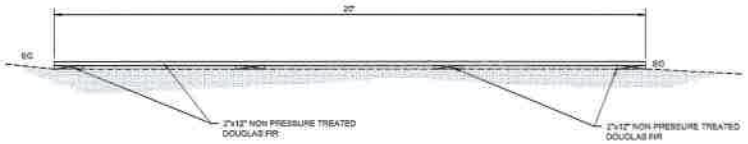
Exhibit B - MND Resolution

FOR REDUCED PLANS
ORIGINAL SCALE IS IN INCHES

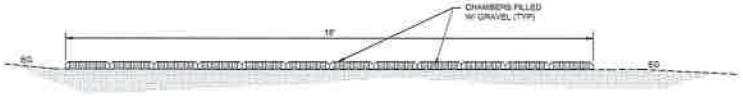
GRAPHIC SCALE
0 15 30 60
(IN FEET)
1 IN = 30 FT



PROFILE VIEW



TIMBER TRAVEL WAY



CONCRETE CHAMBERED PAVERS

WALLACE GROUP®
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153

RAVINE WATER PARK
MULTI-USE PATH AND OVERFLOW PARKING

JOB # 1134-01
DESIGNED BSM
DRAWN BY SD
DATE APRIL 2017

DRAWING NO.
C1.2
OF

Agenda Item 2

Whit's-Turn
Tree Care
P.O. Box 1784 Templeton, CA 93465
Telephone: 805-434-9630 Fax: 805-434-9610

HENRY CURTIS – CERTIFIED ARBORIST WE-6345A

May 22, 2017

Mr. Butterfield is building a new parking lot for the Ravine Waterpark. The parking lot will be located on the south side of Highway 46. Mr. Butterfield is proposing a bike path for his customers to walk or ride on to access the waterpark. This path will impact three native Oak trees.

I have identified and evaluated the three Valley Oaks which are listed on the chart. I have included mitigation to be followed during construction that will help minimize the negative impact to these trees.

Mr. Butterfield and his engineer have done a great job in proposing to use pavers and boards under the driplines of the trees where the bike path will encroach. This measure will help the trees critical root zone by reducing the loss of oxygen to feeder roots. In my opinion that these Oak trees will have very little impact from the proposed bike path.

Henry Curtis
Certified Arborist

Exhibit B - MND Resolution

Arborist Report

Whit's-Turn
Tree Care

P.O. Box 1784
Templeton, CA 93465
Telephone: (805) 434-9630

Prepared For

Brett Butterfield

Project Location

Ravine Waterpark

Highway 46

Prepared By

Henry Curtis

Certified Arborist We-6345A

Exhibit B - MND Resolution

Tree Preservation Guidelines

The mitigation I am requesting must be followed by anyone working within the *C.R.Z of the native trees located at this site. Copies of these guidelines must be provided to any contractors involved with this project.*The Critical Root Zone is an imaginary circle on the ground that corresponds with the "dripline" of the tree. The dripline of a tree is where the greatest extent of a tree's branches end.

Pre-Construction:

Tree Protection Fencing:

The trees indicated as Impacted, identified on the Tree Protection Chart, will require tree fencing installed one foot outside their entire drip-lines. A warning sign shall be prominently displayed on each fence. Please use the example attached with this report. The sign must be laminated for weather resistance. After fencing is installed please notify me to come and inspect the placement before ground is broken at the project site.

Pre-Construction Meeting:

Before any grading or trenching has begun there must be a meeting with all interested parties to discuss suggested mitigation for the protection of the native Oak trees. Generally, this includes a Certified Arborist, General Contractor, Grading Contractor, and any City or County Officials overseeing this project. Please notify me in advance of the meeting.

Construction:

The configuration of protective fencing cannot be changed without my prior authorization. All dirt work performed near the Oak trees should be done with extreme care to disturb as little of the trees C.R.Z as possible. Workers must use caution not to rip or tear large roots with shovels or equipment. The use of an "air spade" is encouraged for authorized excavation within the trees C.R.Z Tools such as a Ditch Witch are discouraged as they leave a jagged,

broken root surface which causes the roots to die back and leaves them vulnerable to be attacked by soil born fungi. Any tree roots larger than one inch dug up during dirt work need to be flush cut and recovered with dirt immediately. If large roots are exposed and cannot be recovered immediately then they must be covered with wet burlap to keep the roots moist.

Construction Waste:

There is to be no cleaning of construction equipment or any waste products near the C.R.Z of the native Oak trees at This site. All waste or extra materials that could possibly leach into the trees feeder roots need to be cleaned and stored elsewhere.

Landscaping:

To ensure the longevity of your native trees, landscaping underneath their drip lines should be kept natural with The exception of the woodchips. Also, keeping irrigation systems outside of the trees drip lines. For more information Regarding landscaping near native Oaks, see the publication: Compatible Plants Under and Around Oaks, California Oak Foundation, http://www.CaliforniaOaks.org/

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Description of Tree Protection Chart

Tree number: Number identifying each tree. Can be found on the project plans as well as labeled on the tree with a numerical tag.

Common Name: Labels the tree with a common name such as VO=Valley Oak, BO=Blue Oak, LO=Live Oak BW=Black Walnut

Scientific Name: Scientific name of the tree species.

Trunk D.B.H.: The abbreviation for the trunk diameter at breast height, in inches.

Tree Condition: Ranging from zero to ten. Zero= deceased, One=Poor condition, Ten=Excellent

Construction Status of tree: Avoided-Removal-Impacted

C.R.Z. Impact: The anticipated percentage of impact to the trees Critical Root Zone.

Anticipated Construction Impact: The type of construction work that will affect the Critical Root Zone, such as; retaining wall, grading, trenching, etc.

Mitigation Proposal: Recommended action to protect the tree.

Monitoring Required: Yes/No. If yes, the Arborist must be notified and on site during any trenching or grading near the tree.

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Customer name: Brett Butterfield
Job address: Ravine Waterpark Hwy 46

Whit's-Turn Tree Care

Date Completed: 5/22/2017

Tree #	Common Name	Scientific Name	Trunk DBH	*Tree Condition 1-10	Construction Status	C.R.Z Impact	Construction Impact	Mitigation Proposal	Monitoring Required
1	Valley Oak	Quercus lobata	48"	7	Impacted	30%	Grading, road	Tree protection fencing, pavers to help protect CRZ	no
2	Valley Oak	Quercus lobata	25"	5	Impacted	50%	Grading, road	Tree protection fencing, boards to help reduce impact to CRZ	no
3	Valley Oak	Quercus lobata	36"	9	Impacted	50%	Grading, road	Tree protection fencing, boards to help reduce impact to CRZ	no
4									
5									
6									
7									
8									

Tree Condtion Key 1=worst 10=best

From: Richter, Paula C.@Waterboards
To: Dan Meade
Cc: LynneDee Althouse; Jacqueline Tilligkeit; Rob Miller
Subject: RE: The Ravine Water Park
Date: Wednesday, April 05, 2017 11:54:11 AM
Attachments: image001.png
2070328 Ravine RWQCB Request for Concurrence.pdf

Hi Dan,

Central Coast Water Board staff concurs with the jurisdictional extent at The Ravine Water Park, as outlined in the attached request.

Regards,

~Paula

Paula Richter
Environmental Scientist
Central Coast Regional Water Quality Control Board
Planning/401 Unit
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906
Paula.Richter@waterboards.ca.gov
http://www.swrcb.ca.gov/rwqcb3/
(805) 549-3865

cwqmc

From: Dan Meade [mailto:Dan@althouseandmeade.com]
Sent: Tuesday, March 28, 2017 3:37 PM
To: Richter, Paula C.@Waterboards
Cc: LynneDee Althouse; Jacqueline Tilligkeit; Rob Miller
Subject: The Ravine Water Park

Paula,
Attached please find our request for concurrence with jurisdictional extent at The Ravine Water Park proposed tramway crossing under the Highway 46 bridge in Paso Robles. We are hoping for your review and response by next week if possible.
If you have any questions please contact LynneDee or Jacqueline in our office.
Thank you,
Dan

Daniel E. Meade, Ph.D.
Principal Scientist | Althouse and Meade, Inc.
Biological and Environmental Services
(805) 705-2479 cell | (805) 237-9626 office

Exhibit B - MND Resolution

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

Memo

To: Paula Richter

From: Jacqueline Tilligkeit and LynneDee Althouse

Date: March 28, 2017

Cc: Rob Miller, Wallace Group

Re: The Ravine Water Park Tram Trail – Waters of the U.S. and State

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We request your concurrence with the extent of the Waters of the State for The Ravine Tramway project at the Highway 46 crossing of the Huerhuero Creek.

In 2008 the United States Army Corps of Engineers (USACE) issued a Jurisdictional Determination for the Huerhuero Creek where it crosses underneath Highway 46. The delineation was conducted by Andrew Muss and Dan Martel in 2003 for Frank Clayton whose property is bounded to the south by Highway 46, to the west and north by Paso Robles Blvd, and Huerhuero Creek to the east. Their findings indicate that the Ordinary High Water Mark (OHWM) is "demarcated by a clear 2-foot deep scour bank." No wetlands were found in the area, including within the creek itself.

These data are consistent with Althouse and Meade's field observations from 2016 and 2017. During the 2016-2017 rain events, the stream did not flow in this reach of the creek. The only surface water observed during rain events was from the Caltrans stormwater ditch. We observed a break in slope near the OHWM as well as vegetation species composition and density changes. Vegetation at the bottom of the channel consisted mostly of ruderal species such as telegraph and dove weed (*Heterotheca grandiflora* and *Croton setigerus*) at only 5 percent cover. Whereas above the OHWM the density increased up to 100 percent cover of mostly introduced brome species (*Bromus diandrus* and *Bromus madritensis* ssp. *rubens*).

A cross-section was conducted by wetland scientists LynneDee Althouse and Jacqueline Tilligkeit on January 30, 2017 which revealed a 2 to 3 foot deep scoured bank at the OHWM (Figure 1). We used a laser level, rod and a tape, taking measurements every 2 feet. The cross-section was measured from the lowest channel bed elevation to the base of the rip-rap placed by the east abutment of the Caltrans bridge. The cross-section shows a low terrace and an erosional scour at the base of the rip-rap.

The edge of the Waters of the State in the Study Area occur at approximately 732-feet in elevation underneath the bridge (Figure 2). This area includes the low terrace, the erosional scour, and approximately 2 feet up the rip-rap. In a large flood event, the water would flood

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south of the overpass and reach the rip-rap. The large oak tree south of the highway and at a higher elevation is excluded from the State jurisdiction; the cottonwood trees are included.

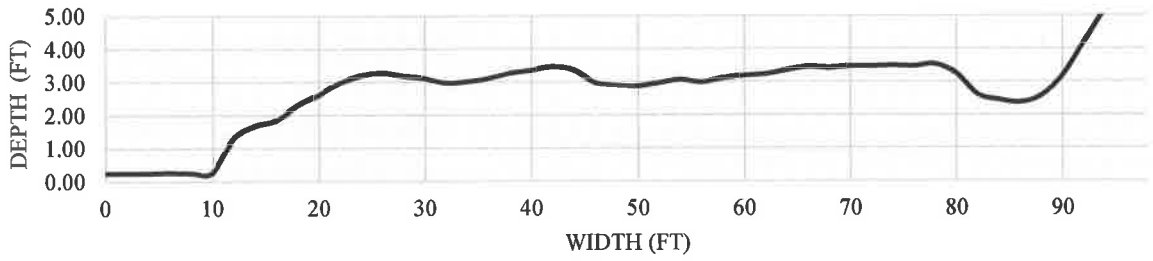

FIGURE 1. View downstream of flood terrace with Huerhuero streambed (left) and Caltrans rip-rap (right). Ordinary high water is about 2 feet deep. The floodplain is about 3 feet above streambed.

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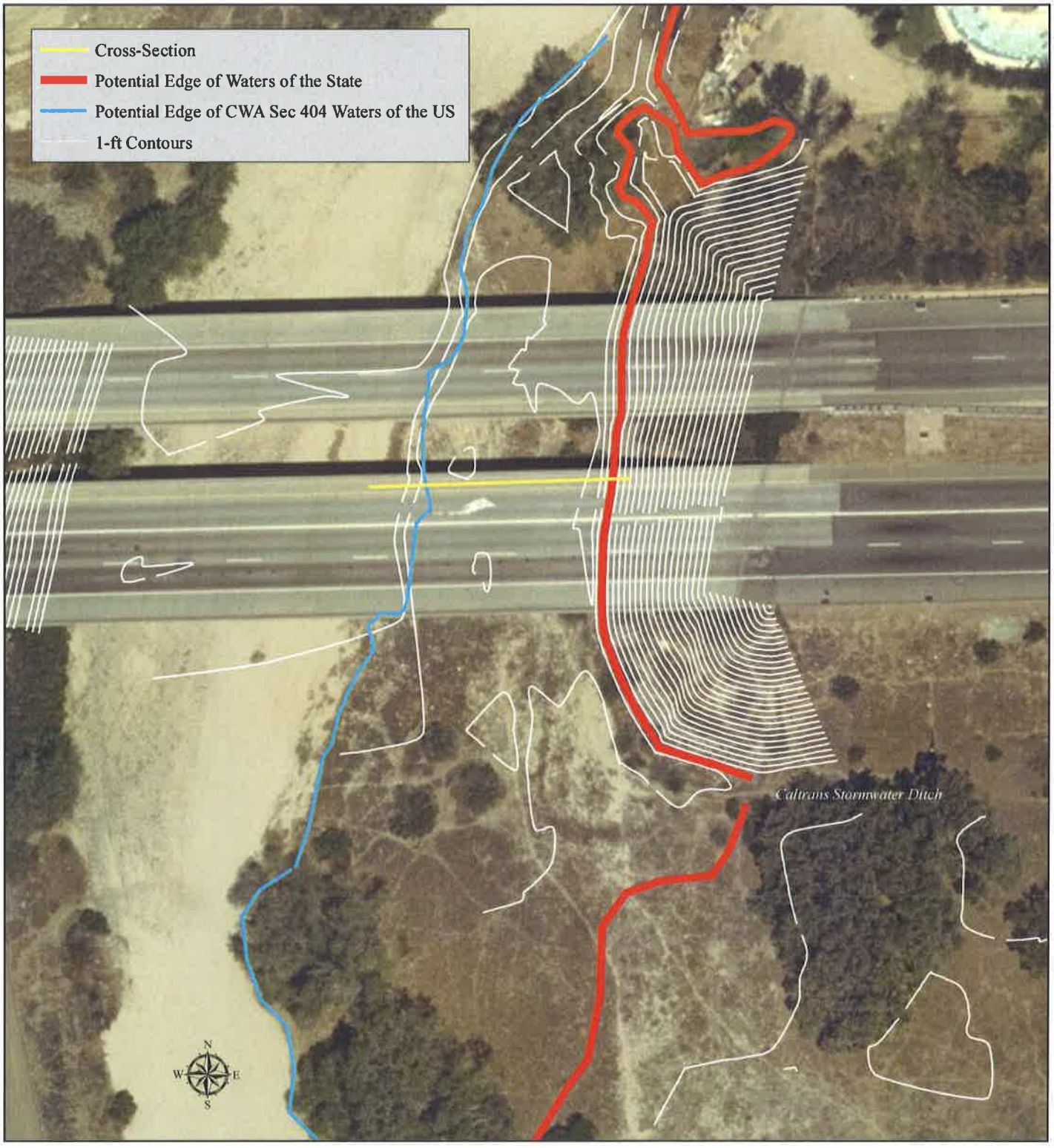
Figure 2. Potentially Jurisdictional Areas



The Ravine
Tram Way Crossing
Paso Robles, CA 93446

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 28, 2017, 02:10 PM

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