



City of Paso Robles Planning Commission Agenda Report

From: Darren Nash, Associate Planner and Darcy Delgado, Assistant Planner

Subject: Planned Development (PD 18-001), Oak Tree Removal (OTR 18-14)
Justin Winery Building No. 3
2265 Wisteria Lane / APN: 025-435-027
Applicant – Oasis Associates, Inc.
Planning Commission recommendation to City Council - A request to construct a new 109,474± square foot (SF) wine storage building and remove 13 native oak trees at the existing Justin Vineyard and Winery facility business park.

Date: July 31, 2018 (Continued from July 10, 2018 Planning Commission Meeting)

Facts

1. Oasis Associates, Inc., on behalf of Justin Vineyards & Winery, LLC, has submitted an application for PD 18-001, a proposal to construct a third building for wine storage, located on the 20.2± acre Justin Vineyards & Winery campus. The proposal includes an approximately 109,454± square foot (SF) wine storage building consisting of 103,970± SF of barrel storage, a 1,205± SF office, 1,558± SF of shipping and receiving, and an 908± SF electrical room. There is also a covered mechanical area of 2,256± SF located adjacent to the loading dock on the southeast corner of the building. This new building would be located on an approximate 5-acre portion of the larger 20.2± acre Justin Vineyards & Winery site, located at 2265 Wisteria Lane (see Vicinity Map, Attachment 1).
2. The General Plan land use designation is Business Park (BP) and the zoning is Planned Industrial (PM). Wineries are a permitted use in the PM zone and are consistent with the BP General Plan designation. Wineries would also include the proposed wine storage building to the Justin Vineyard and Winery facility.
3. The design of the project would require the removal of 13 oak trees. While there are many oak trees on the 20-acre Justin site, the Arborist Report for the project indicates that 17 trees are located within the area of disturbance for the proposed Building 3 and therefore will be impacted by this project (See Tree Exhibit, Attachment 2). The Arborist Report indicates that of the 17 trees, 13 trees be removed to accommodate the new building and four (4) trees will be impacted but preserved. Of the 13 trees to be removed, the Arborist Report indicates that five (5) trees are dead (Trees: No. 476, No. 478, No. 479, No. 481, and No. 482). The other eight (8) trees are either in some type of decline or have had past limb failures.
4. The location of the proposed building on the overall Justin Vineyard & Winery site was previously approved for a smaller project in 2013 that included 66,000± SF of building for wine barrel storage. The entitlements have since expired, which is why a new development plan has been submitted for consideration. The previously approved, smaller project was designed to avoid impacts to oak trees altogether, and therefore did not propose the removal of any oaks.
5. The Development Review Committee (DRC) reviewed this project at their meeting on June 4, 2018. The DRC members and staff conducted an onsite field trip with the project team at the site of the proposed Justin Winery Building No. 3. The main issue discussed was the applicant's request to remove multiple trees to accommodate the approximate 109,000± square foot building. The Arborist Report was reviewed by Chip Tamagni, Arborist, where he discussed tree conditions (See

Agenda Item 3

Arborist Report, Exhibit A to Attachment Resolution B). Since there are oak tree removal requests for this project, the Planning Commission will need to make a recommendation on both the Development Plan and Oak Tree Removal to the City Council.

6. As part of the Planning Commission's role in implementing the Oak Tree Preservation Ordinance, the Planning Commission may recommend to the City Council that the Council permit certain oak trees to be removed, based on factors listed in Section 10.01.050.E of the Ordinance.
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 (see Attachment 4, Exhibit B to Draft Resolution A). Based on the information and analysis contained in the Initial Study (and comments and responses thereto), a determination has been made that potential for environmental effects can be mitigated to a less than significant level and that the project may be approved with a Mitigated Negative Declaration.

Options

After consideration of any public testimony, the Planning Commission should consider the following options:

Recommend approval of the project to City Council by taking the following actions:

- a. Approve draft Resolution A; recommending certification of the Mitigated Negative Declaration for the project; and
- b. Approve draft Resolution B; recommending the approval of OTR 18-14 allowing the removal of 13 oak trees based on the finding that no reasonable alternative exists for the project.
- c. Approve draft Resolution C; recommending approval of Planned Development 18-001 subject to site-specific conditions of approval.

Recommend project approval with minor modifications to the resolutions listed above;

Continue and refer back to staff for additional analysis;

Recommend denial of the project by making findings of denial for the resolutions listed above.

Analysis and Conclusions

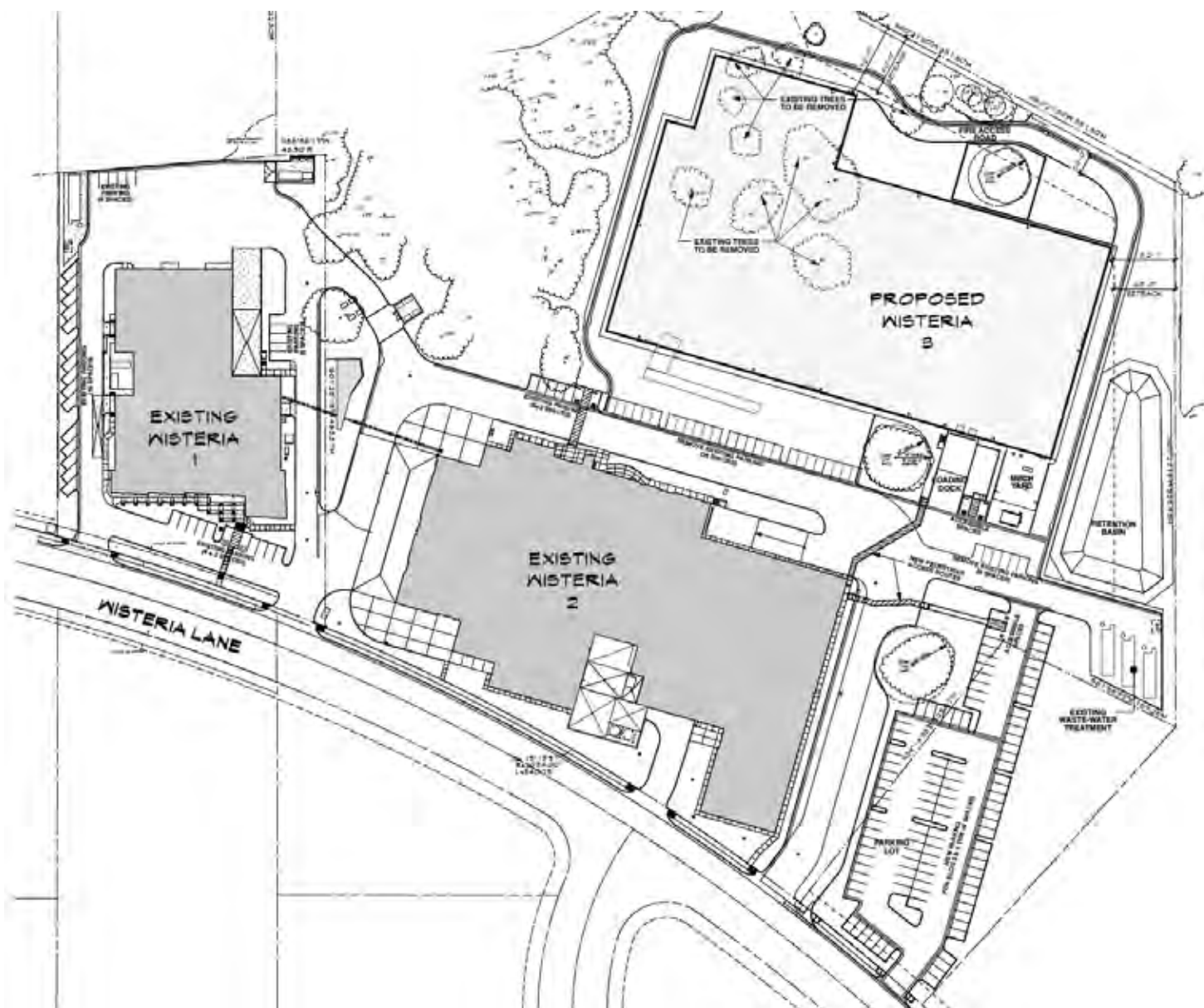
The proposal to construct a new wine storage building is consistent with the land use and zoning designations of the property and would complement the existing Justin Vineyard and Winery facility. Additionally, the proposed project is the type of development that was anticipated with the development of the Golden Hills Business Park. However, due to the larger size of the building to accommodate the growth of the Justin Winery, the applicant is also requesting to remove thirteen (13) oak trees to accommodate the development footprint.

As part of the Planning Commission's role in implementing the Oak Tree Preservation Ordinance, the Planning Commission may recommend to the City Council that the Council permit certain oak trees to be removed, based on factors listed in Section 10.01.050.E of the Ordinance. According to Section 10.01.050.E, there are several factors that need to be reviewed when considering the removal of a "healthy" oak tree. These factors along with Staff's analysis of each factor are discussed below.

Agenda Item 3

1. Project Summary

For the Planning Commission to consider a request to construct a new 109,474± square foot (SF) wine storage building located within the existing Justin Vineyard & Winery facility business park.



2. General Plan / Zoning Consistency

The proposed building would be located at an existing winery facility within an existing industrial/business park. The proposed use is consistent with both the General Plan land use designation of Business Park (BP) and zoning designation of Planned Industrial (PM).

3. Architecture and Appearance

The proposed building would be a one-story industrial building with a roof ridge height of approximately 31-feet. The siding material would be comprised of architectural grade metal wall panels with accent concrete block wainscot. The roof material is also an architectural grade metal. The proposed color palette consists of neutral whites and silvers. The proposed development would be consistent with the existing type

Agenda Item 3

of buildings and display as currently developed on the Justin Vineyard & Winery site and has limited visibility from public streets.

4. Tree Removals / Site Design Issues

The project was discussed by the Development Review Committee (DRC) on June 4, 2018 during a field trip to the Justin Vineyard & Winery site. The main issue discussed was the removal of thirteen (13) oak trees to accommodate the proposed building. Although the City's Oak Tree Preservation Ordinance provides provisions for the removal of oaks that are diseased or dying, the Ordinance indicates "every reasonable effort shall be made to avoid impacting oak trees, including but not limited to use of custom building design and incurring extraordinary costs to save oak trees". Unfortunately, the trees in the best condition are located in the middle of building site and cannot be avoided with proposed building.

When taking in consideration the factors listed in Section 10.01.050.E of the Oak Preservation Ordinance, Factor No. 1 relates to the tree condition. The Arborist Report indicates that at least five (5) trees were inventoried as being in some stage of decline, yet could have a useful life expectancy of 10 to 50 years, depending on the tree.

In the attached letter from Oasis Associates dated July 10, 2018 (Attachment 3) factors are listed that explain why the proposed 109,474 building better meets Justin Vineyards needs than the previous 66,000sf building. The letter also indicates that utilizing Justin Winery properties to the east is infeasible. Since the larger building is needed to accommodate the expansion of Justin Winery, it appears the Planning Commission can make the finding that no reasonable alternative exists for the project.

The Planning Commission needs to make a recommendation to the City Council making a determination if the oak tree removals are warranted based on specific findings listed in Section 10.01.050.E of the Ordinance. If the Council does not approve the removals, the project will need to be redesigned to protect the oak trees.

Oak Tree Removal Findings

E. If a request is being made to remove one or more healthy oak trees for which a permit to remove is required, the director shall prepare a report to the City Council, outlining the proposal and his recommendation, considering the following factors in preparation of his recommendation.

- 1. The condition of the oak tree with respect to its general health, status as a public nuisance, danger of falling, proximity to existing or proposed structures, interference with utility services, and its status as host for a plant, pest or disease endangering other species of trees or plants with infection or infestation;**

Based on the Arborist indicating that five of the thirteen trees are dead (Trees: No. 476, No. 478, No. 479, No. 481, and No. 482) these trees appear to be good candidates for removal. However, there are five other trees (Trees: No. 483, No. 484, No. 485, No. 486, and No. 487) that were inventoried as being in some stage of decline, yet could have a useful life expectancy of 10 to 50 years, depending on the tree.

- 2. The necessity of the requested action to allow construction of improvements or otherwise allow reasonable use of the property for the purpose for which it has been zoned. In this context, it shall be the burden of the person seeking the permit to demonstrate to the satisfaction of the director that there are no reasonable alternatives to the proposed design and use of the property. Every reasonable effort shall be made to avoid impacting oak trees, including but not limited to use of custom building design and incurring extraordinary costs to save oak trees;**

Agenda Item 3

There may be alternatives to design around the existing oak trees, but these alternative would likely result in a smaller, less efficient building design that would be inconsistent with the applicant's project objectives. Unfortunately, the trees in the best condition are located in the middle of building site and cannot be avoided with proposed building.

The larger building is needed to accommodate the expansion of Justin Winery, which is recognized as a key local business whose expansion supports the City of Paso Robles' Economic Development goals. Therefore, it appears the Planning Commission can make the finding that no reasonable alternative exists for the project.

3. **The topography of land, and the potential effect of the requested tree removal on soil retention, water retention, and diversion or increased flow of surface waters. The director shall consider how either the preservation or removal of the oak tree(s) would relate to grading and drainage. Except as specifically authorized by the planning commission and city council, ravines, stream beds and other natural water-courses that provide a habitat for oak trees shall not be disturbed;**

The removal of the trees would not result in negative effects on soil retention, water retention or surface water flows for the neighborhood.

4. **The number, species, size and location of existing trees in the area and the effect of the requested action on shade areas, air pollution, historic values, scenic beauty and the general welfare of the city as a whole;**

Several of the trees that were inventoried as being in distress retain fair or good aesthetic value. However, the trees are not visible from the public right-of-way and therefore offer no scenic beauty to the public.

5. **Good forestry practices such as, but not limited to, the number of healthy trees the subject parcel of land will support.**

The removal of the trees will require replacement trees to be planted on site, additionally; the remaining oak trees on site will be protected. The property is large enough to accommodate the required replacement trees.

5. Parking

The two existing buildings at the Justin Winery require a total of 72 parking spaces, for which 77 spaces have been provided. The proposed third building requires an additional 22 parking spaces, totaling 94 parking spaces that are required for all three buildings.

As part of the project's design, 32 parking spaces that are currently used for the two existing buildings would be removed and relocated to a new parking lot to the south of the building (See Overall Site Plan, Attachment 4). The new parking lot proposes a total of 110 parking spaces, which is a net increase of 33 parking spaces from what has historically been provided onsite. The overall increase in parking is more than enough to accommodate both the new building as well as the overall facility.

Recommendation

1. Recommend approval of the project to City Council by taking the following actions:
 - a. Approve draft Resolution A; recommending certification of the Mitigated Negative Declaration for the project; and
 - b. Approve draft Resolution B; recommending the approval of OTR 18-14 allowing the removal of 13 oak trees based on the finding that no reasonable alternative exists for the project.

Agenda Item 3

- c. Approve draft Resolution C; recommending approval of Planned Development 18-001 subject to site-specific conditions of approval.

Fiscal Impact

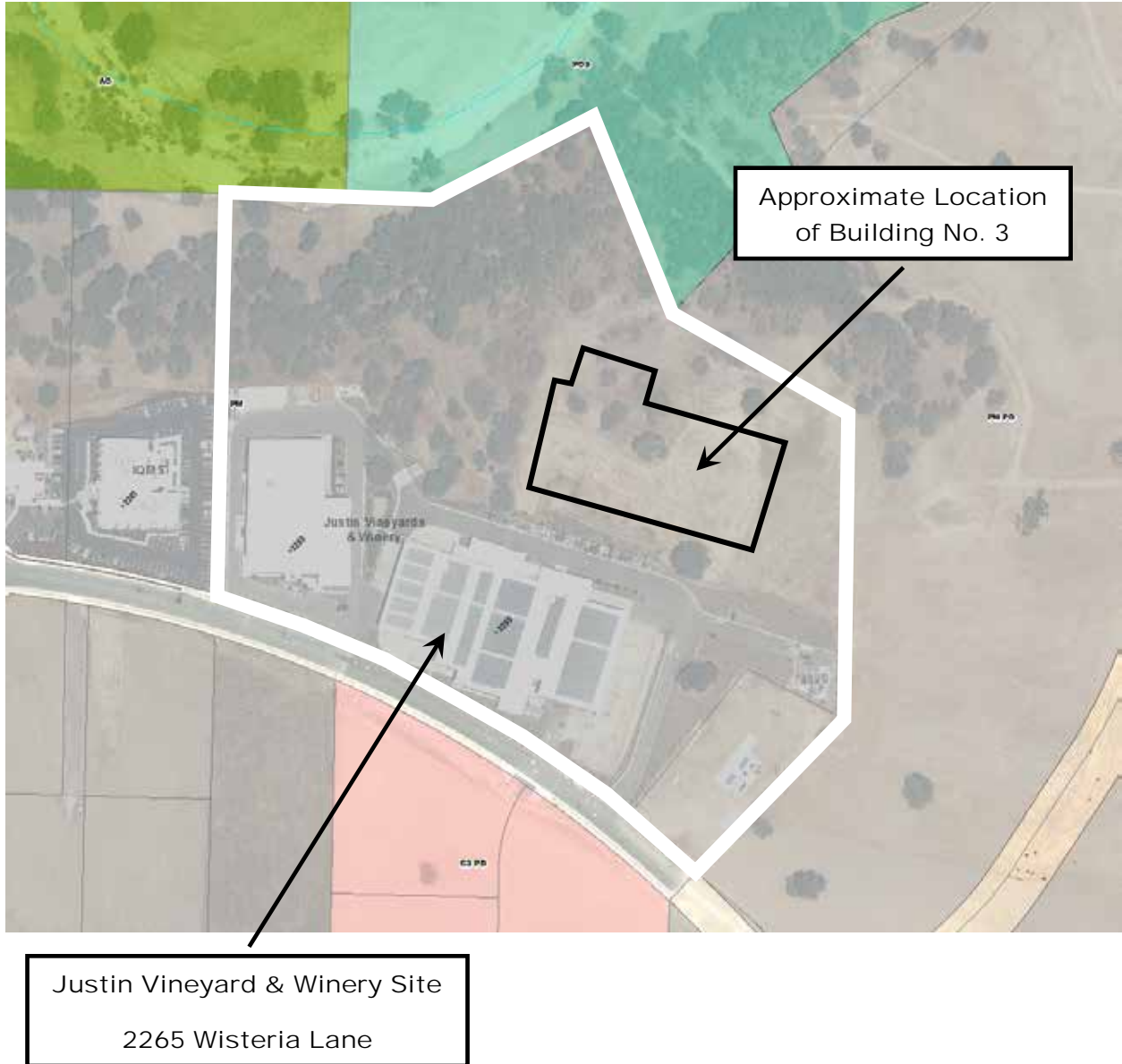
Positive - Justin Winery is recognized as a key local business whose expansion supports the City of Paso Robles' Economic Development goals.

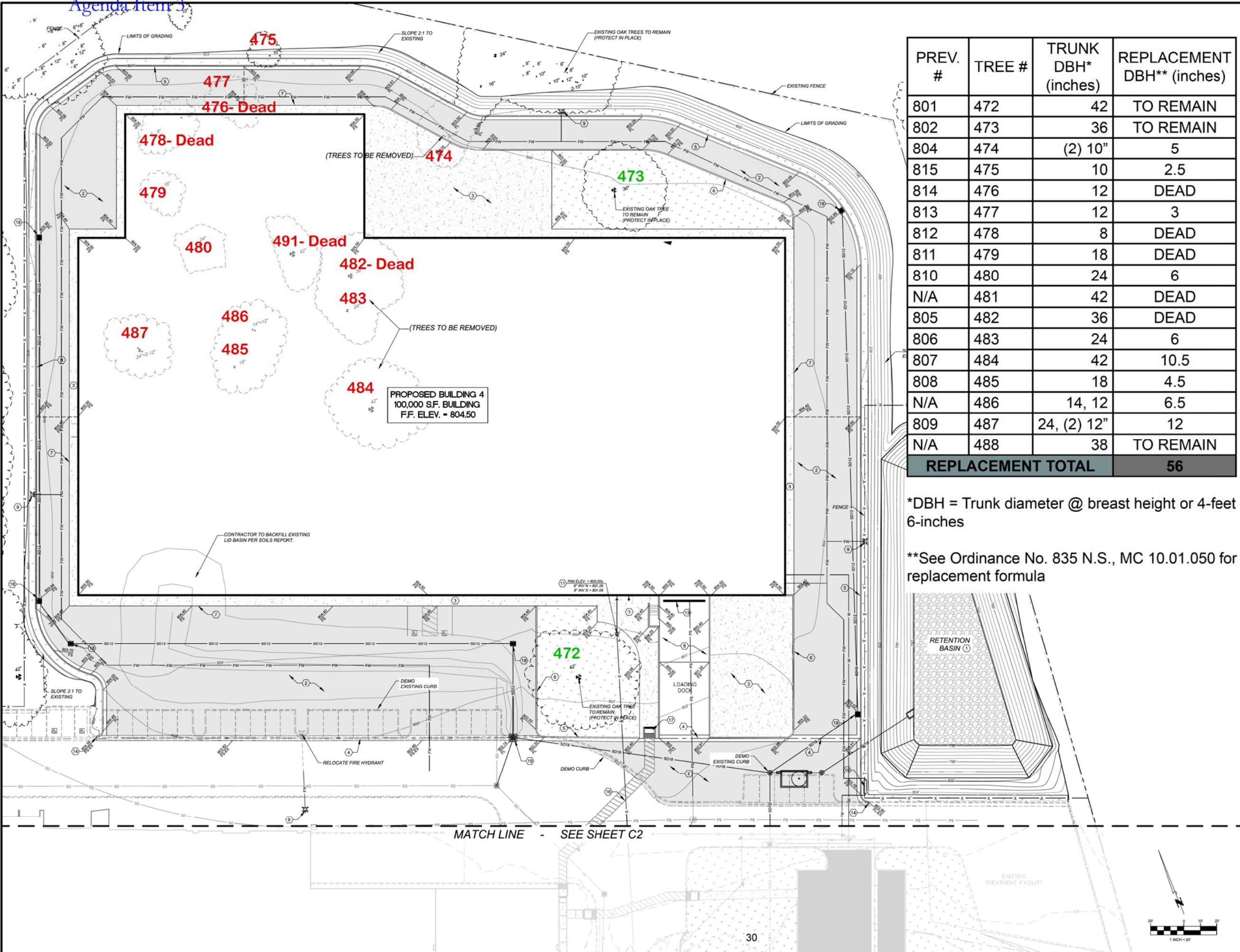
Attachments

1. Vicinity Map
2. Site Plan – Tree Exhibit
3. Oasis Associates Letter dated July 10, 2018
4. Draft Resolution A – Recommending certification of a Mitigated Negative Declaration
5. Draft Resolution B – Recommending approval of OTR 18-015
6. Draft Resolution C – Recommending denial of PD 18-001
7. Exhibit B (to Draft Resolution A) Draft Mitigated Negative Declaration/Initial Study
8. Notices

Attachment 1

Vicinity Map





PREV. #	TREE #	TRUNK DBH* (inches)	REPLACEMENT DBH** (inches)
801	472	42	TO REMAIN
802	473	36	TO REMAIN
804	474	(2) 10"	5
815	475	10	2.5
814	476	12	DEAD
813	477	12	3
812	478	8	DEAD
811	479	18	DEAD
810	480	24	6
N/A	481	42	DEAD
805	482	36	DEAD
806	483	24	6
807	484	42	10.5
808	485	18	4.5
N/A	486	14, 12	6.5
809	487	24, (2) 12"	12
N/A	488	38	TO REMAIN
REPLACEMENT TOTAL			56

*DBH = Trunk diameter @ breast height or 4-feet 6-inches

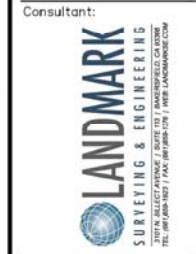
**See Ordinance No. 835 N.S., MC 10.01.050 for replacement formula



Architecture, Planning & Graphics
 3592 Sacramento Dr, Suite 140
 San Luis Obispo, California 93401
 805/541-5604 voice

Project:
 WISTERIA
 3
 R.O.S. 105-36
 PARCEL 1
 WISTERIA LANE
 PASO ROBLES
 CA 93446

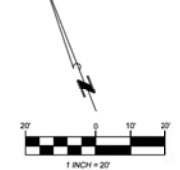
Owner:
 JUSTIN VINEYARDS
 AND WINERY, LLC
 2265 WISTERIA LANE
 PASO ROBLES
 CA 93446
 (805) 238 - 6932

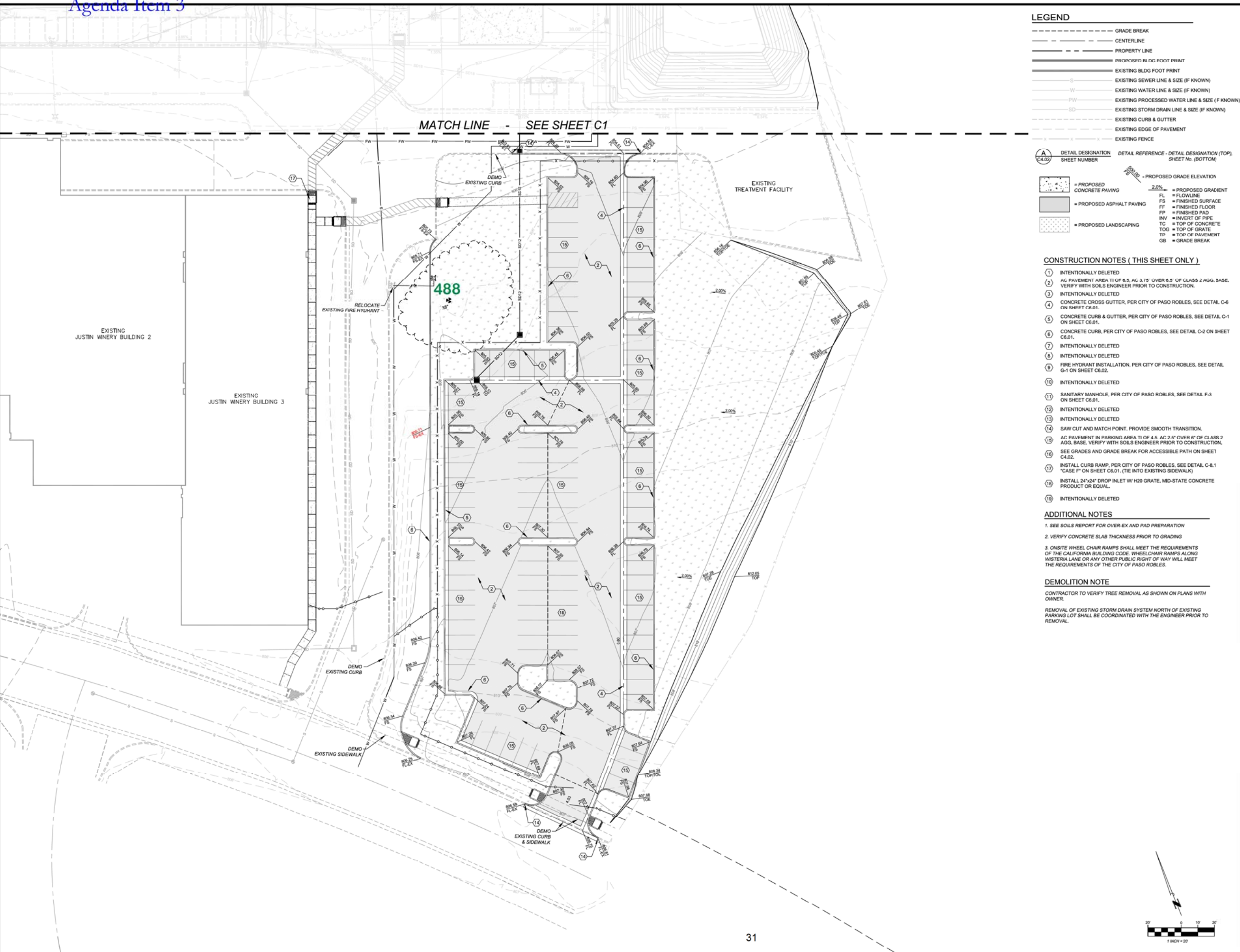


Sheet Contents:
 CONCEPTUAL GRADING
 AND UTILITY PLAN

Date: 07 FEB 2018
 Revised:

TREE EXHIBIT
 XXX TREE TO REMAIN
 XXX TREE TO BE REMOVED





LEGEND

---	GRADE BREAK
- - -	CENTERLINE
---	PROPERTY LINE
---	PROPOSED BLDG FOOT PRINT
---	EXISTING BLDG FOOT PRINT
S	EXISTING SEWER LINE & SIZE (IF KNOWN)
W	EXISTING WATER LINE & SIZE (IF KNOWN)
PW	EXISTING PROCESSED WATER LINE & SIZE (IF KNOWN)
SD	EXISTING STORM DRAIN LINE & SIZE (IF KNOWN)
---	EXISTING CURB & GUTTER
---	EXISTING EDGE OF PAVEMENT
---	EXISTING FENCE

(A)	DETAIL DESIGNATION	DETAIL REFERENCE - DETAIL DESIGNATION (TOP)
(C4.02)	SHEET NUMBER	SHEET No. (BOTTOM)

[Symbol]	PROPOSED CONCRETE PAVING	[Symbol]	PROPOSED GRADIENT
[Symbol]	PROPOSED ASPHALT PAVING	[Symbol]	2.0%
[Symbol]	PROPOSED LANDSCAPING	[Symbol]	FL = FLOWLINE
		[Symbol]	FS = FINISHED SURFACE
		[Symbol]	FF = FINISHED FLOOR
		[Symbol]	FP = FINISHED PAD
		[Symbol]	INV = INVERT OF PIPE
		[Symbol]	TC = TOP OF CONCRETE
		[Symbol]	TOG = TOP OF GRATE
		[Symbol]	TP = TOP OF PAVEMENT
		[Symbol]	GB = GRADE BREAK

- CONSTRUCTION NOTES (THIS SHEET ONLY)**
- 1 INTENTIONALLY DELETED
 - 2 AC PAVEMENT AREA T1 OF 6.5, AC 3.75" OVER 6.5" OF CLASS 2 AGG. BASE, VERIFY WITH SOILS ENGINEER PRIOR TO CONSTRUCTION.
 - 3 INTENTIONALLY DELETED
 - 4 CONCRETE CROSS GUTTER, PER CITY OF PASO ROBLES, SEE DETAIL C-6 ON SHEET C6.01.
 - 5 CONCRETE CURB & GUTTER, PER CITY OF PASO ROBLES, SEE DETAIL C-1 ON SHEET C6.01.
 - 6 CONCRETE CURB, PER CITY OF PASO ROBLES, SEE DETAIL C-2 ON SHEET C6.01.
 - 7 INTENTIONALLY DELETED
 - 8 INTENTIONALLY DELETED
 - 9 FIRE HYDRANT INSTALLATION, PER CITY OF PASO ROBLES, SEE DETAIL G-1 ON SHEET C6.02.
 - 10 INTENTIONALLY DELETED
 - 11 SANITARY MANHOLE, PER CITY OF PASO ROBLES, SEE DETAIL F-3 ON SHEET C6.01.
 - 12 INTENTIONALLY DELETED
 - 13 INTENTIONALLY DELETED
 - 14 SAW CUT AND MATCH POINT, PROVIDE SMOOTH TRANSITION.
 - 15 AC PAVEMENT IN PARKING AREA T1 OF 4.5, AC 2.5" OVER 4" OF CLASS 2 AGG. BASE, VERIFY WITH SOILS ENGINEER PRIOR TO CONSTRUCTION.
 - 16 SEE GRADES AND GRADE BREAK FOR ACCESSIBLE PATH ON SHEET C4.02.
 - 17 INSTALL CURB RAMP, PER CITY OF PASO ROBLES, SEE DETAIL C-8.1 "CASE F" ON SHEET C6.01, (TIE INTO EXISTING SIDEWALK)
 - 18 INSTALL 24"x24" DROP INLET W/ H20 GRATE, MID-STATE CONCRETE PRODUCT OR EQUAL.
 - 19 INTENTIONALLY DELETED

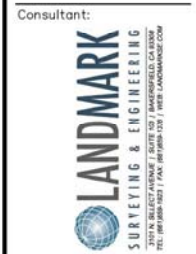
- ADDITIONAL NOTES**
1. SEE SOILS REPORT FOR OVER-EX AND PAD PREPARATION
 2. VERIFY CONCRETE SLAB THICKNESS PRIOR TO GRADING
 3. ONSITE WHEEL CHAIR RAMP SHALL MEET THE REQUIREMENTS OF THE CALIFORNIA BUILDING CODE. WHEELCHAIR RAMP ALONG WISTERIA LANE OR ANY OTHER PUBLIC RIGHT OF WAY WILL MEET THE REQUIREMENTS OF THE CITY OF PASO ROBLES.

DEMOLITION NOTE
 CONTRACTOR TO VERIFY TREE REMOVAL AS SHOWN ON PLANS WITH OWNER.
 REMOVAL OF EXISTING STORM DRAIN SYSTEM NORTH OF EXISTING PARKING LOT SHALL BE COORDINATED WITH THE ENGINEER PRIOR TO REMOVAL.



Architecture, Planning & Graphics
 3592 Sacramento Dr, Suite 140
 San Luis Obispo, California 93401
 805/541-5604 voice
 These drawings are instruments of service and are property of Steven D. Pults, AIA & Associates, LLP. All design and other information on the drawings are for use on the specified project and shall not be used otherwise without the expressed written permission of Steven D. Pults, AIA & Associates, LLP.

Project:
WISTERIA
 3
 R.O.S. 105-36
 PARCEL 1
 WISTERIA LANE
 PASO ROBLES
 CA 93446
 (805) 238 - 6932



Consultant:
LANDMARK
 SURVEYING & ENGINEERING
 1111 W. MAIN STREET / SAN LUIS OBISPO, CA 93401 / WWW.LANDMARKCA.COM

Date: 07 FEB 2018
 Revised:

TREE EXHIBIT
XXX TREE TO REMAIN
XXX TREE TO BE REMOVED

FEBRUARY 9, 2018
 PAGE 2 OF 2



OASIS ASSOCIATES
LANDSCAPE ARCHITECTURE + PLANNING

APPLICANT'S RESPONSE
TO THE CITY OF EL PASO DE ROBLES
PLANNING COMMISSION AGENDA STAFF REPORT

**Planned Development (PD 18-001), Oak Tree Removal (OTR 18-14) –
Justin Winery Building No. 3
2265 Wisteria Lane / APN 025-435-027**

10 July 2018

APPLICANT'S REQUEST

The applicant requests that the Planning Commission recommend approval of the project to City Council as follows:

- ✦ Approve draft Resolution A; recommending certification of the Mitigated Negative Declaration for the project; and
- ✦ Approve draft Resolution B; recommending approval of Planned Development 18-001 subject to site-specific conditions of approval.

We note the following excerpts from the staff report and the **applicant's response** to provide the Planning Commission with a comprehensive overview of the applicant's due diligence and thoughtful preparation of the proposed project, including information addressing alternative design scenarios.

Staff's Analysis and Conclusions

The proposal to construct a new wine storage building is consistent with the land use and zoning designations of the property and would complement the existing Justin Vineyard & Winery facility. Additionally, the proposed project is the type of development that was anticipated with the development of the Golden Hills Business Park. However, the design of the project is based on the applicant also requesting to remove thirteen (13) oak trees to accommodate the development footprint. ***The applicant did not consider alternative site designs to retain the oak trees.***

As part of the Planning Commission's role in implementing the Oak Tree Preservation Ordinance, the Planning Commission may recommend to the City Council that the Council permit certain oak trees to be removed, based on factors listed in Section 10.01.050.E of the Ordinance. According to Section 10.01.050.E, ***there are several factors that need to be reviewed when considering the removal of a "healthy" oak tree.*** These factors along with Staff's analysis of each factor are listed below:

Oak Tree Ordinance §10.01.050 E. 2.

The necessity of the requested action to allow construction of improvements or otherwise allow reasonable use of the property for the purpose for which it has been zoned. In this context, it shall be the burden of the person seeking the permit to demonstrate to the satisfaction of the director that there are no reasonable alternatives to the proposed design and use of the property. Every reasonable effort shall be made to avoid impacting oak trees, including but not limited to use of custom building design and incurring extraordinary costs to save oak trees;

There may be reasonable design alternatives to design around the existing oak trees, since the property has other areas that do not have oak trees located on it that could be developed.

Neighborhood Compatibility/Site Design Issues

The project was discussed by the Development Review Committee (DRC) on June 4, 2018 during a field trip to the Justin Vineyard & Winery site. The main issue discussed was the removal of thirteen (13) oak trees to accommodate the proposed building. Although the City's Oak Tree Preservation Ordinance provides provisions for the removal of oaks that are diseased or dying, *the Ordinance indicates "every reasonable effort shall be made to avoid impacting oak trees, including but not limited to use of custom building design and incurring extraordinary costs to save oak trees". This has not been demonstrated with the current proposed building. The site was previously approved for an alternative building design that demonstrated the ability to avoid oak tree impacts.*

APPLICANT'S RESPONSE

In staff's Analysis and Conclusions, they correctly acknowledge that the Golden Hills Business Park was planned and approved for developments, such as the expansion of the applicant's winery complex. The proposed project, previous, and subsequent projects, all represent the success of this business park and its contribution to the City's economic health and sustainability.

Nonetheless, it is important that the Planning Commission recognizes the applicant's April 28, 2018 response to staff's Completeness Review that included the following excerpts addressing alternative site designs, the related oak trees, and responds directly to the staff report comments noted above in *bold italics*.

I. ALTERNATIVES ANALYSES & SITE PLAN MODIFICATIONS

In 2013, a winery storage facility was approved by the City in a different configuration from the currently proposed footprint. There are several reasons that pursuing the current project better responds to the applicant's short- and long-term goals for their operations in San Luis Obispo County and, specifically, in the City of Paso Robles. The following represents a synopsis of items in support of the proposed project.

1. The proposed building has been enlarged to respond to the business growth associated with Justin Winery. The former building included 66,000± square feet, while the proposed building (February 2018 version) included 101,563± square feet. Please note that in response to the oak tree preservation measures and other site plan changes, the building square footage now stands at **109,474 square feet**.
2. While the currently proposed building is an approximate 60%± increase in building square footage over the originally approved plan, there are other factors that led to its current configuration and location on the site. They include the following considerations:
 - a. Additional storage capacity based upon current growth projections.
 - b. Efficiency in the operation of barrel storage. The current configuration has a 0.34 barrels/square foot (SF) vs. a 0.25 barrels/SF storage efficiency. This is accommodated via a more uniform aisle layout and related racking configuration.
 - c. A more uniform aisle and racking layout that provides superior safety considerations for forklift operations and personnel movement within the building.

3. Traffic circulation and parking were also considered with the proposed building configuration, including the following considerations:
 - a. Wider entry drive aisle will allow for off-street truck loading and eliminate truck parking on Wisteria Lane, while providing more appropriate turning maneuverability from Wisteria Lane into the entry drive;
 - b. Designated employee parking will minimize potential conflicts between employee movements and truck traffic;
 - c. A centralized parking lot also eliminates the multiple parking areas that cannot be access controlled and secured; and
 - d. And of course, safety concerns regarding employee vehicles and operational process conflicts (i.e., delivery, production, and storage) will be improved.
4. While the applicant owns the neighboring property to the east, long-term master planning for the future operations made the utilization of this parcel (i.e., relocating the building further east to avoid oak tree removal and the potential need for a lot line adjustment to eliminate building over a property line) infeasible.

II. ARBORIST'S RECOMMENDATIONS & SITE PLAN MODIFICATIONS

The following summarizes the site, grading/drainage, and utility plan changes due to the recommendations of the project arborist.

1. The oak trees "to be removed" as a result of this building expansion will be replaced as directed by the City of Paso Robles and under the supervision of the project arborist.
2. The main drive approach curbing has been reconfigured to eliminate disturbance of the critical root zone of the existing 38-inch oak tree (no. 488), located east of the Wisteria 2 building. This change will allow for the widening of the existing access road with minimal impact to the tree.
3. The new curb and sidewalk located at the front of the proposed structure has been designed to eliminate disturbance to the critical root zone of the existing 32-inch oak tree (no. 472). This also includes the relocation of the stormdrain to eliminate disturbance at the critical root zone.
4. The design now reflects a grade separation between the finished floor elevation (FFE) and the existing grade at the 30-inch oak tree (no. 473). The design requires a retaining wall to be built at this location and surrounding area to maintain the existing grade over the critical root zone of this tree.
5. The access road on the north side of the building has been redesigned to pass between the existing 30-inch oak tree's (no. 473) critical root zone and the multiple 10-12-inch oak trees located along the north property line. The proposed road grade has been lowered to allow for positive drainage of this area that will flow to the access road, thereby eliminating standing water/ponding around the tree.
6. The proposed structure was also moved south to avoid the critical root zone of the existing 30-inch oak tree (no. 473).
7. Finally, all utilities (fire lines, storm drains) have been relocated out of the oak tree's critical root zone (CRZ).

Fiscal Impact

None identified at this time.

APPLICANT’S RESPONSE

While there are costs to government related to most development projects, we believe that these will be offset by this project which represents the growth of a local business and the related increase in short- and long-term jobs, property valuation and property tax¹.

Thank you for the opportunity to share this important information with you. We look forward to our engagement with the Planning Commission.

End of Applicant’s Response

¹ Based upon the City of El Paso de Robles’ list of principal property taxpayers for the fiscal year 2016-2017, Justin Vineyards and Winery, LLC ranked no. 2 in assessed valuation. Source: HdL Coren & Cone, February 2018

Attachment 4

Draft Resolution A

RESOLUTION NO. PC 18-XXX

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
RECOMMENDING CERTIFICATION OF A MITIGATED NEGATIVE DELCARATION
AND MITIGATION MONITORING AND REPORTING PROGRAM
TO THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
(PLANNED DEVELOPMENT 18-001)
APN: 025-435-027

WHEREAS, an application for Planned Development (PD 18-001), has been filed by Justin Vineyard & Winery, LLC for the Justin Winery Building No. 3 Project to establish a ±109,454 square foot wine storage building located within the existing Justin Vineyard & Winery facility business park; and

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

- **General Plan Business Park land use designation** – The project would provide development of wine storage building for an existing winery which is consistent with the Business Park (BP) land use designation; and
- **Zoning District of Planned Industrial**– The project is a “*permitted*” use in the PM district; and
- **Airport Land Use Plan** – Table 6, Land Use Compatibility Matrix, Zones 3 and 4, Warehouse and Storage; 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 re-circulated for a 30-day public review period beginning on July 16, 2018 through August 14, 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 7 of the project staff report) of this Resolution, and it is on file at the Paso Robles Community Development Department; and

WHEREAS, mitigation measures have been incorporated into the MND and will be imposed on the project through the City’s adoption of a Mitigation Monitoring and Reporting Program (MMRP) in compliance with CEQA Guideline 15074(d). These mitigation measures are imposed on the project to address potential environmental effects from: biological resources, cultural resources, and air quality. 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

Agenda Item 3

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 A 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 July 10, 2018, where the Planning Commission continued the public hearing to July 31, 2018 in order to provide the accurate building square footages in the project description; and

WHEREAS, a public hearing was conducted by the Planning Commission on July 31, 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.

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 Justin Winery Building No. 3 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.

Agenda Item 3

PASSED AND ADOPTED THIS 31st day of July 2018, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DOUG BARTH, 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 7 of the Planning Commission staff report)

Agenda Item 3

Exhibit A - Mitigation Monitoring and Reporting Plan

Project File No./Name: PD 18-001 and OTR 18-14 – Justin Winery Building 3

Approving Resolution No.: Resolution No. _____ by: Planning Commission City Council Date: _____

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 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>AQ-1: <u>Dust Control Measures</u> Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. <u>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):</u></p> <ul style="list-style-type: none"> 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 	Project	Qualified Air Quality Specialist			Prior to Issuance of a Grading Permit

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. <u>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.</u> For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;</p> <ul style="list-style-type: none"> 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. 					

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<ul style="list-style-type: none"> 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, 					

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>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.</p>					
<p>AQ-2: <u>Developmental Burning</u> Effective February 25, 2000, <u>the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.</u> If you have any questions regarding these requirements, contact the APCD Engineering & Compliance Division at (805) 781-5912.</p>	Project	Qualified Air Quality Specialist CDD			Prior to issuance of grading permit
<p>AQ-3: <u>Demolition Activities Demolition / Asbestos</u> 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). <u>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).</u> These requirements include, but are not limited to: 1) written notification, within at least 10 business days of</p>	Project	Qualified Air Quality Specialist CDD			Prior to issuance of grading permit

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>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.</p>					
<p>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.</p> <p>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.</p> <ul style="list-style-type: none"> • 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; 	Project	Qualified Air Quality Specialist/ CDD			Prior to issuance of a grading permit.

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<ul style="list-style-type: none"> • 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). <p><u>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.</u></p>					
<p>BR-1. The canopy edge and trunk location of oak trees within 50 feet of proposed construction on the Property shall be surveyed by a licensed land surveyor and placed on all plan sets. Tree assessments should be conducted by a certified arborist or qualified botanist. Data collected for the tree shall include diameter at breast height (4.5 feet) of each stem/trunk, canopy diameter, tree height, tree health, and habitat notes (cavities for birds or bats), raptor nests, wood rat nests, and unique features. The tree map shall be used to determine impacts to trees from the project and will inform the mitigation plan.</p>	Project	Qualified Biologist CDD			Prior to issuance of grading permit
<p>BR-2. Impacts to the oak canopy or critical root zones (CRZ) should be avoided where practicable. Impacts include pruning, ground disturbance within the CRZ, and trunk damage.</p>	Project	Qualified Biologist CDD			Prior to issuance of grading permit
<p>BR-3. Prior to ground breaking, tree protection fencing shall be installed as close to the outer limit of the CRZ as practicable for construction operations. The fencing shall be in place throughout the duration of the project, and removed only under the direction of the project environmental monitor or arborist, while demolition is in progress.</p>	On-going	CDD			Prior to issuance of grading permit

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
BR-4. Trenching within the CRZ must be approved by the project arborist, and shall be done by hand or with an air spade. Any roots exposed by demolition shall be treated by a tree care specialist and covered with a layer of soil to match existing topography.	On-going	CDD			Prior to issuance of grading permit
BR-5. Landscape material within the CRZ must be of native, drought tolerant species. Lawns are prohibited within the CRZ.	On-going	CDD			Prior to issuance of grading permit
BR-6. Paving adjacent to and within the CRZ shall utilize interlocking pavers or equivalent that will allow proper infiltration of water and exchange of oxygen to the root zone of the tree.	On-going	CDD			Prior to issuance of grading permit
BR-7. Tree removal, if approved, shall commence within 30 days of inspection by a qualified biologist to determine the tree is not being used by nesting birds or bats at the time of removal.	Project	CDD			Prior to issuing Certificate of Occupancy permit
BR-8. Impacts to oak trees shall be assessed by a licensed arborist or qualified botanist prior to final inspection, and reported to the County.	Project	Certified Arborist CDD			Prior to issuing grading permit
BR-9. Impacts to oaks shall be mitigated by planting additional trees on site. Any oak tree with a dbh of five inches or greater shall require mitigation. Oaks removed shall be replaced in kind at a 25% of replacement inches.	On-going	Certified Arborist CDD		Notes shown on construction documents.	Prior to issuing grading permit.
BR-10. Replacement trees should be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least 7 years. Replacement trees shall be the same species as the tree impacted or removed, and of local origin.	On-going	CDD		Notes shown on construction documents.	Prior to issuing grading permit.

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>BR-11. Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during the breeding season from March 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 active raptor nests. 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. A map of the Project site and nest locations shall be included with the report. The Project biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.</p>	Project	CDD		Notes shown on construction documents.	Prior to issuing Building Permit.
<p>BR-12. A focused preconstruction survey for legless lizards shall be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by the project biologist. The preconstruction survey shall be conducted by a qualified biologist familiar with legless lizard ecology and survey methods, and with approval from California Department of Fish and Game to relocate legless lizards out of harm's way. The scope of the survey shall be determined by a qualified biologist and shall be sufficient to determine presence or absence in the project areas. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If legless lizards are found to be present in the proposed work areas the following steps shall be taken:</p> <ul style="list-style-type: none"> • Legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas. • Construction monitoring shall be required for all new 	Project	CDD			Prior to issuing Certificate of Occupancy permit

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>ground-breaking activities located within legless lizard habitat. Construction monitors shall capture and relocate horned lizards as specified above.</p> <ul style="list-style-type: none"> A letter report shall be submitted to the County and CDFW within 30 days of legless lizard relocation, or as directed by CDFW. 					
<p>BR-13. Occupied nests of special status bird species shall be mapped using GPS or survey equipment. Work shall not be allowed within a 100 foot buffer for songbirds and 300 for nesting raptors while the nest is in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.</p>	Project	CDD			Prior to site disturbance, grading permit issued
<p>BR-14. Occupied nests of special status bird species that are within 100 feet of project work areas shall be monitored at least every two weeks through the nesting season to document nest success and check for project compliance with buffer zones. Once burrows or nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work may commence in these areas.</p>	On-going	Certified Arborist CDD		Shown on construction documents	Prior to issuance of grading permit
<p>BR-15. A preconstruction survey shall be conducted within thirty days of beginning work on the site to identify if badgers are using the site. The results of the survey shall be sent to the project manager and the County of San Luis Obispo. If the preconstruction 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</p>	On-going	Certified Arborist CDD		Shown on construction documents	Prior to issuance of building permit

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1 st and February 1 st 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					
BR-16. Prior to removal of any trees over 20 inches DBH, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. If a non-maternal roost is found, the qualified biologist, with prior approval from California Department of Fish and Game, will install one-way valves or other appropriate passive relocation method. For each occupied roost removed, one bat box shall be installed in similar habitat and should have similar cavity or crevices properties to those which are removed, including access, ventilation, dimensions, height above ground, and thermal conditions. Maternal bat colonies may not be disturbed.	Project	Certified Arborist CDD			Prior to issuance of Final Occupancy

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>BR-17 (BR-1, Res. 06-028). Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of Paso Robles, Community Development Department (City) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:</p> <p>a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 70.02 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 Wildlife (Department) and the City.</p> <p>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.</p> <p>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.</p> <p>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 \$175,050. This fee is calculated based on the current cost-per-unit of \$2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to City permit issuance and initiation of any ground disturbing activities.</p>	Project	CDD		\$175,050 was paid to the Palo Prieto Conservation Bank on August 15, 2011	Mitigation Measure BR-17 has been completed. (Includes BR-1 or Res. 06-028)

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>c. Purchase 70.02 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.</p> <p>Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total \$175,050. This fee is calculated based on the current cost- per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to City permit issuance and initiation of any ground disturbing activities.</p>					
<p>BR-18. 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:</p> <ul style="list-style-type: none"> o 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. o 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-28. Site disturbance activities lasting up to 14 days do not require 	On-going	CDD			Prior to issuance of Grading Permit/On-going with project construction.

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>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.</p> <ul style="list-style-type: none"> o Prior to or during project activities, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFW for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work. <p>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.</p> <ul style="list-style-type: none"> i. In addition, the qualified biologist shall implement the following measures: <ul style="list-style-type: none"> 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: 					

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>§ Potential kit fox den: 50 feet</p> <p>§ Known or active kit fox den: 100 feet</p> <p>§ Kit fox pupping den: 150 feet</p> <p>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.</p> <p>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.</p>					
<p>BR-19. Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate the following as a note on the project plans: “<i>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</i>”. Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.</p>	On-going	CDD			Prior to issuance of a grading permit.
<p>BR-20. 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.</p>	On-going	CDD			On Going during construction.
<p>BR-21. 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</p>	On-going	CDD			Prior to issuance of a grading permit.

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
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-22. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.	Project	CDD			Prior to certificate of occupancy
BR-23. 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 certificate of occupancy
BR-24. 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	CDD			Prior to certificate of occupancy
BR-25. 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	Project	CDD			Prior to certificate of occupancy

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.					
BR-26. 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.	Project				On -going with project construction.
BR-27. 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. 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				Prior to Certificate of Occupancy.
CR-1: Prior to the issuance of a Grading Permit, a Phase I Archeological Survey shall be completed to confirm the 1996 Survey, that no known cultural resources exist on the site.	Project	CDD			Prior to issuance of a Grading Permit

(add additional measures as necessary)

Explanation of Headings:

Type: Project, ongoing, cumulative

Monitoring Department or Agency: Department or Agency responsible for monitoring a particular mitigation measure

Shown on Plans: When a mitigation measure is shown on the plans, this column will be initialed and dated.

Verified Implementation: When a mitigation measure has been implemented, this column will be initialed and dated.

Remarks: Area for describing status of ongoing mitigation measure, or for other information.

Attachment 5

Draft Resolution B

RESOLUTION 18-XXX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PASO ROBLES
RECOMMENDING THAT THE CITY COUNCIL AUTHORIZE THE REMOVAL OF THIRTEEN
OAK TREES AT 2265 WISTERIA LANE
(OTR 18-014 / JUSTIN VINEYARDS)
APN 025-435-027

WHEREAS, an application for Planned Development (PD 18-001) has been filed by Justin Vineyard & Winery, LLC for the Justin Winery Building No. 3 Project to establish a 109,454± square foot wine storage building located within the existing Justin Vineyard & Winery facility; and

WHEREAS, the project would be located on an approximate 5-acre portion of the larger 20.26-acre Justin Vineyards & Winery site, located at 2265 Wisteria Lane; and

WHEREAS, the design of the project would require the removal of thirteen (13) oak trees. Based on the Arborist Report by A&T Arborists, which indicates the trees to be removed are either dead or in decline, the oak tree removals are warranted based on specific findings listed in Section 10.01.050.E of the Oak Tree Preservation Ordinance and replacement trees will be planted; and

WHEREAS, in the July 10, 2018 letter from Oasis Associates factors are listed that explain why the proposed 109,474± building is necessary to meet Justin Vineyards operational needs and that the previous 66,000± sf building or utilizing other properties are infeasible; and

WHEREAS, the Community Development Director can make the determination that Trees No. 476, 478, 479, 481 & 482 are “clearly dead or diseased beyond correction,” and therefore, Section 10.01.050.D of the Oak Tree Ordinance allows for their removal; and

WHEREAS, the Community Development Director could not make the determination that Trees No. 474, 477, 480, 483, 484, 485, 486, 487 trees are “clearly dead or diseased beyond correction,” and therefore, Section 10.01.050.D of the Oak Tree Ordinance would consider the trees “healthy” and require that the City Council make the determination of whether the tree should be removed or not, after consideration of the factors listed in Section 10.01.050.E; and

NOW, THEREFORE, THE PLANNING COMMISSION RECOMMENDS THAT THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES RESOLVE AS FOLLOWS:

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

Section 2 Findings.

- a. The City Council finds the factors outlined in Section 10.01.050.E, and the information provided by the Arborist, justify the removal of the Trees No. 476, 478, 479, 481 & 482 since they are “clearly dead or diseased beyond correction,” as indicated in Exhibits A & B.

Agenda Item 3

- b. The City Council finds, based on the July 10, 2018 letter from Oasis Associates, that no reasonable alternative exists for the project and therefore allow the removal Tree No. 474, 477, 480, 483, 484, 485, 486, 487, based on the trees being in in conflict with the proposed building footprint, as indicated in Exhibit A & B.

Section 3. Mitigation.

- a. Trees No. 476, 478, 479, 481 & 482 are “clearly dead or diseased beyond correction,” as indicated in Exhibits A & B and do not require mitigation trees.
- b. Tree No. 474, 477, 480, 483, 484, 485, 486, 487, totaling 166-inches being removed requires 41.5-inches (25%) to be replaced as mitigation trees. The Arborist indicates that 28 1.5-inch diameter (24-inch box) trees will be planted on site. The replacement trees will be 50% Blue Oak and 50% Coast Live Oak.

PASSED AND ADOPTED THIS 31ST day of July 2018, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DOUG BARTH, CHAIRPERSON

ATTEST:

WARREN FRACE, PLANNING COMMISSION SECRETARY

Exhibits

- A. Arborist Report
- B. Oasis Associates Letter dated July 10, 2018

Oak Tree Protection Plan

Justin Winery Barrel Room, Wisteria

Prepared By

**Chip Tamagni
Certified Arborist #WE 6436-A
Certified Hazard Risk Assessor #1209**

**Steven Alvarez
Certified Arborist #WE 0511-A**

**P.O. Box 1311
Templeton, CA 93465
(805) 434-0131**

3-21-18

A & T ARBORISTS

P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131



As consulting arborists, we have been hired to inform and educate how to protect trees both during the design phase and construction. Different species can adapt to more impacts than others just as young trees can sustain more root disturbance than older trees. All individuals and firms involved in the planning stages should be made completely aware of the limitations regarding setbacks from critical root zones that are recommended to protect the trees. When we are given a plan, it should show **all** possible disturbances within the critical root zone areas. This includes all cuts, fills, over-excavation limits, building clearances, and all utilities. We will suggest changes if we feel the impacts are too great and it is up to the owner or their designee to follow our recommendations. If the plan we receive is not complete with potential impacts, we will fairly assume any additions will fall completely out of the critical root zone areas. It is the burden of the property owner or their designee to inform us of any changes, omissions, or deletions that may impact the critical root zone area of the trees in any way.

It is the responsibility of the **owner** to provide a copy of this tree protection plan to any and all contractors and subs that work within the critical root zone of any native tree. We recommend making it mandatory that the grading/trenching operator have all of his/her employees sign that they have read this plan. It is highly recommended that all other contractors sign and acknowledge this tree protection plan as well. In addition, each their respective employees shall be made aware of this tree plan.

The term "critical root zone" is often referred to in this report. The CRZ is an imaginary circle around the trunk of the tree with a radius in feet equal to the tree's diameter in inches. Therefore, a 10 inch diameter tree would have a critical root zone with a 10 foot radius.

This tree evaluation and protection plan is in regard to the proposed barrel room that would be located behind Justin Winery's processing facility on Wisteria Lane in Paso Robles. The land where the barrel room would be located is relatively flat with varying age class blue oak trees (*Quercus douglasii*). Of the seventeen trees inventoried, five are 100% dead. Five rated a 2/10 due to either severe dieback or significant structural deficiencies. Three trees rated average health and three trees are in very good to excellent condition. There are substantial numbers of dead and dying trees that are completely out of any impact zone nor have these trees been impacted from any activities. We suspect drought played a prominent role in their decline. We have included some photographs of these trees in addition to the proposed removals.

The original plans we received showed some pretty substantial impacts to the three excellent quality trees and several others on site. We felt that some changes were warranted to significantly reduce the impacts to the trees that are planned to be saved. Originally, we felt the impacts exceeded our threshold for what would be a minimal impact to a significant one that could possibly shorten the tree's lifespan. We had a

conference call with representatives from Justin and the design team to express what was felt were necessary changes to fully preserve saved trees within the project area. **Exhibit A**

Those recommended changes (which have been incorporated to the design) are:

- The main drive approach curbing has been reconfigured to not disturb the critical root zone of the existing 38” oak tree (#488), located east of the Wisteria 2 building. It will allow the widening of the existing access road with minimal impact to the tree.
- The curbing and sidewalk at the front of the proposed structure has been designed to not disturb the critical root zone of the existing 32” oak tree (#472).
- The proposed structure will create a grade separation between the finished floor elevation and the existing grade at the 34” oak tree (#473). The design will call for a retaining wall to be built at this location and surrounding area to maintain the existing grade over the critical root zone of this tree.
- The access road on the north side of the building has been redesigned to pass between the existing 34” oak tree (#473) critical root zone and the multiple 10-12” oak trees along the north property line.
- The proposed structure was also moved south to avoid the critical root zone of the existing 34” oak tree. The proposed road grade has been lowered to allow drainage of the area around the tree into this access road and not create a ponding scenario.
- Utilities have also been relocated to avoid the CRZ.

All trees that are planned to be saved within the project area shall be pruned for weight reduction and major deadwood. Many of these trees are very heavy towards the ends of the main scaffold limbs and are subject to severe breakage. This shall be part of the mandatory mitigation for this project.

Pruning is also strongly recommended for all other non-impacted trees on the property that will surround the building but are completely out of the impact zone. Many trees in this “perimeter” have died and should be removed and those subsequent areas can be used for project mitigation planting. 13 trees are being proposed for removal. Five of those trees are entirely dead and do not require mitigation as they are in the middle of a field and have never been impacted. Five of the live trees are in poor condition. Four of them have suffered from drought stress and they most likely will not survive for more than a few years at best. One tree (484) is the largest tree being proposed for removal. This tree has good aesthetics and from a distance it looks appealing. However, closer inspection revealed the tree has had major scaffold failures that in turn have created significant points of decay. There are also several scaffold branches with nesting holes from woodpeckers that has rendered them very weak. We estimated this tree would only survive about ten more years as failure appears imminent. Another failure will further stress the tree and speed up its decline. Two other trees with fair to good condition ratings are also being proposed for removal. One was rated a 3/10 as there was some tip dieback. The highest quality tree being proposed for removal has three 12 inch diameter trunks totaling 30 inches. The triple trunk will eventually be the demise of this tree but we did expect it to live 50 more years. Total inches being proposed for removal (live trees only) is 166 inches. The mitigation inches for planting total 41.5”. The mitigation trees shall be a minimum of 24” box trees. As diameters vary for trees this size, 28 trees will be required to be planted if they average 1.5”. If the diameter of the box trees is 2” average, 21 trees would be required for planting. We strongly feel that replanting these

trees in the perimeter area will benefit the site. We would also prefer to see a combination of the three main species of oaks used for the mitigation which would be blue (*Quercus douglasii*), coast live (*Quercus agrifolia*), and valley (*Quercus lobata*). There are many trees that exist in the perimeter area with no impact into their critical root zones. We did not tag these trees, however, we will require a continuous perimeter tree fence five feet outside of the planned fire road for the majority of this area. We understand that some of these trees are dead, however, their removal will potentially be sought at a later date.

We also inventoried the oak trees that exist on the remainder of this property. We counted 48 other trees that are dead and 617 oaks that are alive. The sizes ranged from 4 inches up to 60+ inches. This area is one of the few undisturbed blue oak woodland of its size within the city limits. Most of these trees 98% are blue oaks and about 2% are valley oaks (*Quercus lobata*). There are no plans to develop these other portions of the property as the terrain is quite steep.

Trees #472, #473, and #488 are really quality blue oaks. There may be very slight impacts (<3%) for #473 and #472. #488 now has zero impacts due to design changes. There is a planned road that will circumvent the building. Originally, this road impacted several oaks, however, the design changes eliminated that.

This project will require an on-site pre-construction meeting with the city, owner, grading contractor and the arborist. Topics will include fencing, monitoring and requirements for a positive final occupancy letter. It is the owner's responsibility to adequately inform us prior to any meetings where we need to be present. It is the responsibility of the owner's representatives and the general contractor to assure that absolutely no activity occurs within any critical root zone with the consent of the project arborist and is a part of the updated approved plans. There will be zero parking under any of the oak trees on site and all port a potties shall be located at twice the critical root zone in distance from the trees. Preferably, the port a pottie(s) is located on the existing asphalt away from any trees.

All trees potentially impacted by this project are numbered and identified on both the grading plan and the spreadsheet. Trees whose CRZ edges are well outside site disturbance will generally not be tagged and inventoried. Trees that are inherently protected by other saved trees will also not be tagged. Trees are numbered on the grading plans and in the field with an aluminum tag. Tree protection fencing is shown on the grading plan. Trees to be saved have bright green tape and potential removal trees have bright orange tape attached to the tree number tag.

Tree Rating System

A rating system of 1-10 was used for visually establishing the overall condition of each tree on the spreadsheet.

Determining factors include:

- Previous impacts to tree root zone
- Observation of cavities, conks or other structurally limiting factors
- Pest, fungal, or bacterial disorders
- Past failures
- Current growth habit

The rating system is defined as follows:

<u>Rating</u>	<u>Condition</u>
0	Deceased
1	Evidence of massive past failures, extreme disease and is in severe decline.
2	May be saved with attention to class 4 pruning, insect/pest eradication and future monitoring. Generally the trees are in decline
3	Some past failures, some pests or structural defects that may be mitigated by class IV pruning.
4	May have had minor past failures, excessive deadwood or minor structural defects that can be mitigated with pruning.
5	Relatively healthy tree with little visual structural and or pest defects.
6	Healthy tree that probably can be left in its natural state. Future pruning may be required.
7-9	The tree has had proper arboricultural pruning and attention or have no apparent structural defects.
10	Specimen tree with perfect shape, structure and foliage in a protected setting (i.e. park, arboretum).

The following mitigation measures/methods must be fully understood and followed by anyone working within the drip line of any native tree. Any necessary clarification will be provided by us (the arborists) upon request.

Fencing: The proposed fencing shall be shown in orange ink on the grading plan. It must be a minimum of 4' high chain link, snow or safety fence staked at the edge of the CRZ or line of encroachment for each tree or group of trees. The fence shall be up before any construction or earth moving begins. The owner or their designee shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts shall be made to maximize the distance from each saved tree. The fencing must be constructed prior to the city pre-construction meeting for inspection by the city and the arborists. Fence maintenance is an issue with many job sites. Windy conditions and other issues can cause the fence to sag and fall. Keeping it erect should be a part of any general contractor's bid for a project. Down fencing is one of the causes for a stop work notice to be placed on a project.

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

Chip Mulch: All areas within the CRZ of the trees that cannot be fenced shall receive a 4-6" layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.

Trenching Within CRZ: All trenching/excavation for foundations within the CRZ of native trees shall be **hand dug**. All major roots shall be avoided whenever possible. All exposed roots larger than 1" in diameter shall be clean cut with sharp pruning tools and not left ragged. A **Mandatory** meeting between the arborists and grading/trenching contractor(s) shall take place prior to work start. This activity shall be monitored by the arborist(s) to insure proper root pruning is taking place. Any landscape architects and contractors involved shall not design any irrigation or other features within any drip line unless previously approved by the project arborist.

Grading Within CRZ: Grading shall not encroach within the drip line or crz unless approved by the project arborist. Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding condition and excavations should not leave the tree on a rapidly draining mound.

Exposed Roots: Any exposed roots shall be re-covered the same day they were exposed. If they cannot, they must be covered with burlap or another suitable material and wetted down 2x per day until re-buried.

Equipment Operation: Vehicles and all heavy equipment shall never be driven under the trees, as this will contribute to soil compaction. Also there is to be no parking of equipment or personal vehicles in these areas. If at any time a construction employee has parked a vehicle under the drip line of any oak in the project area (or areas surrounding the project), he/she shall be asked to leave the project that day. All areas behind fencing are off limits unless pre-approved by the arborist. All soil compaction within drip line areas shall be mitigated as described previously.

Existing Surfaces: The existing ground surface within the CRZ of all native trees shall not be cut, filled, compacted or pared, unless shown on the grading plans **and** approved by the arborist.

Construction Materials And Waste: No liquid or solid construction waste shall be dumped on the ground within the CRZ of any native tree. The CRZ areas are not for storage of materials either. Any violations shall be remedied through proper cleanup approved by the project arborist at the expense of the owner. Absolutely no temporary port a potties shall be placed under the trees.

Arborist Monitoring: An arborist shall be present for selected activities (trees identified on spreadsheet and items bulleted below). The monitoring does not

Agenda Item 3

necessarily have to be continuous but observational at times during these activities. It is the responsibility of the owner(s) or their designee to inform us prior to these events so we can make arrangements to be present. It is the responsibility of the owner to contract (prior to construction) a locally licensed and insured arborist that will document all monitoring activities.

- pre-construction fence placement, and weekly monitoring during construction until the project arborist is convinced there is no possible future impacts to any of the remaining oaks.
- any utility or drainage trenching within any CRZ
- All grading and trenching near trees requiring monitoring on the spreadsheet

Pre-Construction Meeting: An on-site pre-construction meeting with the Arborist(s), Owner(s), Planning Staff, and all contractors and subs is highly recommended prior to the start of any work. At a minimum, the grading contractor shall be present. It is the sole responsibility of the owner that all topics covered during the preconstruction meeting are appropriately passed on to non-present contractors. Prior to final occupancy, a letter from the arborist(s) shall be required verifying the health and condition of all impacted trees and providing any recommendations for any additional mitigation. The letter shall verify that the arborist(s) were on site for all grading and/or trenching activity that encroached into the CRZ of the selected native trees, and that all work done in these areas was completed to the standards set forth above.

Pruning: All native tree pruning shall be completed by a licensed and insured D49 tree trimming contractor that has a valid city business license. Class 4 pruning includes: Crown reduction pruning consisting of reduction of tops, sides or individual limbs. A trained arborist shall perform all pruning. No pruning shall take more than 25% of the live crown of any native tree. Any trees that may need pruning for road/home clearance shall be pruned **prior** to any grading activities to avoid any branch tearing.

Landscape: All landscape under the CRZ shall be drought tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around drip lines; otherwise above ground drip-irrigation shall be used. It is the owner's responsibility to notify the landscape architect and contractor regarding this mitigation. The project arborist shall approve all landscape materials and irrigation within the CRZ of any oak tree.

Utility Placement: All utilities and sewer/storm drains shall be placed down the roads/driveways and outside of the CRZ. The project arborist shall supervise trenching within the CRZ. **All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under/over the roots.** Roots greater than 1 inches in diameter shall **not** be cut. Due to the changes in this project, there should be no trenching necessary within the CRZ.

Fertilization and Cultural Practices: As the project moves toward completion, the arborist(s) may suggest fertilization, insecticide, fungicide, soil amendments, and/or mycorrhiza applications that will benefit tree health.

The included spreadsheet includes trees listed by number, species and multiple stems if applicable, diameter and breast height (4.5'), condition (scale from poor to excellent), status (avoided, impacted, removed, exempt), percent of drip line impacted, mitigation required (fencing, root pruning, monitoring), construction impact (trenching, grading), recommended pruning and individual tree notes.

If **all** the above mitigation measures are followed, we feel there will be no additional long-term significant impacts to the remaining native trees.

A & T Arborists strongly suggests that the responsible party (owner of their designee) make copies of this report. Any reproduction by A & T Arborists or changes to this original report will require an additional charge.

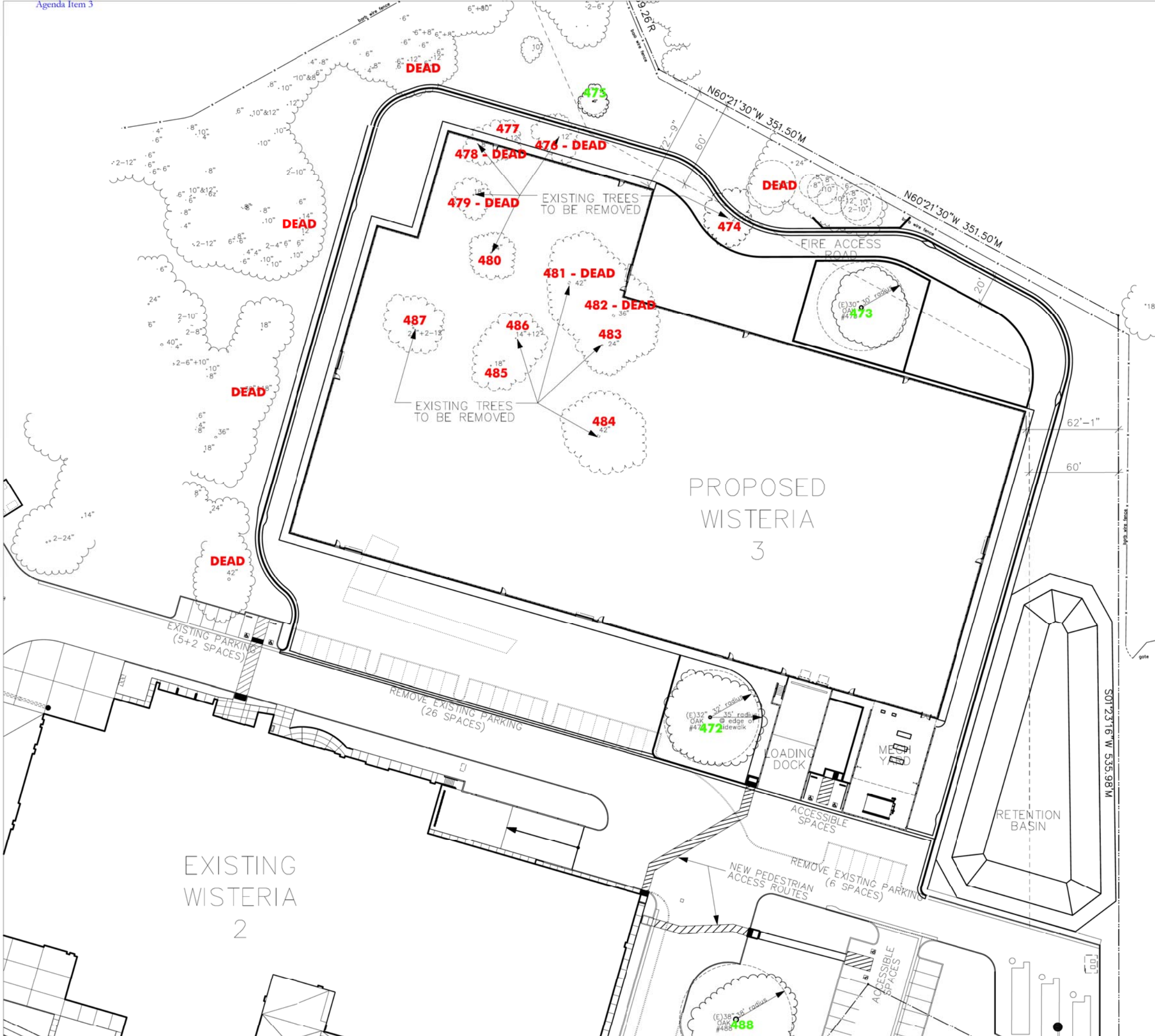
Please let us know if we can be of any future assistance to you for this project.

Steven G. Alvarez
Certified Arborist #WC 0511

Chip Tamagni
Certified Arborist #WE 6436-A

Attachments:

1. Tree Protection Spreadsheet
2. Tree Exhibit, Sheets 1 & 2, revised 19 April 2018 (24" x 36")



TREE PROTECTION SPREAD SHEET

TREE #	TRUNK DBH* (inches)	REPLACEMENT DBH** (inches)
472	32	TO REMAIN
473	30	TO REMAIN
474	17	4.25
475	9	TO REMAIN
476	17	DEAD
477	10	2.5
478	9	DEAD
479	14	DEAD
480	16	4
481	28	DEAD
482	34	DEAD
483	17	4.25
484	41	10.25
485	15	3.75
486	20	5
487	30	7.5
488	38	TO REMAIN
REPLACEMENT TOTAL		41.5

Source: Oak Tree Protection Plan, Justin Winery Barrel Room, Wisteria, A & T Arborists, 21 March 2018
 *DBH = Trunk diameter @ breast height or 4-feet 6-inches
 **See Ordinance No. 835 N.S., MC 10.01.050, F of the City of El Paso de Robles for replacement formula

LEGEND
■ TREES TO BE REMOVED
■ TREES TO REMAIN



Architecture, Planning & Graphics
 3592 Sacramento Dr., Suite 140
 San Luis Obispo, California 93401
 805/541-5604 voice
 These drawings are instruments of service and the property of Steven D. Pulits, AIA & Associates, LLP. All design and other information on the drawings are for use on the specified project and shall not be used otherwise without the expressed written permission of Steven D. Pulits, AIA & Associates, LLP.

Project:
 JUSTIN WISTERIA 3
 TRACT 2778-2
 LOTS 9-14
 2295 WISTERIA LANE
 PASO ROBLES
 CA 93446

Owner:
 JUSTIN VINEYARDS
 AND WINERY, LLC

2295 WISTERIA LANE
 PASO ROBLES
 CA 93446
 (805) 238 - 6932

Consultant:

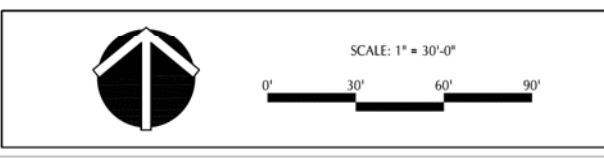
Sheet Contents:
TREE EXHIBIT



Date: 07 FEB 2018
 Revised: 19 APRIL 2018

Job No:

Sheet:



TREE EXHIBIT PHOTOGRAPHS

Oak tree photographs and captions reference the 'Tree Protection Spread Sheet' from the *Justin Winery Oak Tree Protection Plan* by A & T Arborists, 21 March 2018.



TREE 479



TREE 480



TREE 481



TREE 482



TREE 483



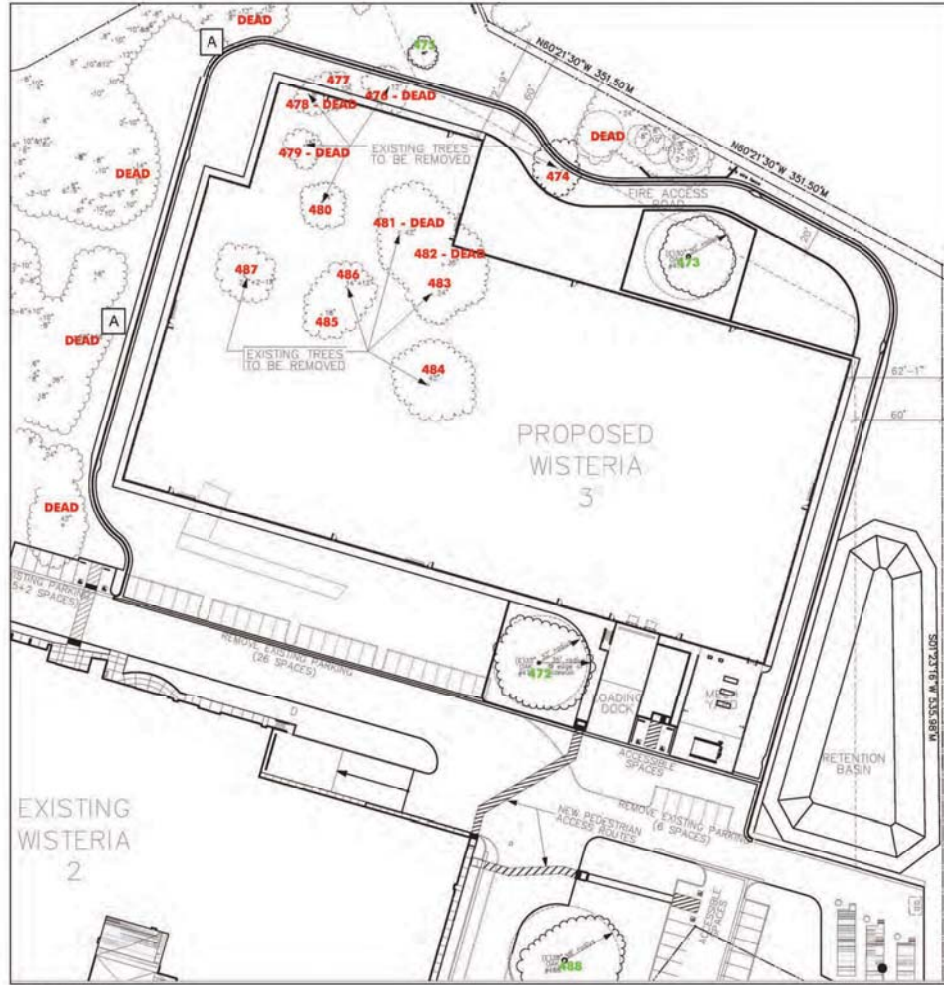
TREE 477



TREE 476



TREE 478



TREE EXHIBIT

SCALE 1" = 60'



TREE 484



Failed failure tree 484



Significant cavity tree 484



A DEAD PERIMETER TREES



More dead and dying trees in perimeter



New impacted dead and dying trees in perimeter



TREE 485



TREE 486



TREE 487

A & T ARBORISTS
 P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131

Owner:

JUSTIN VINEYARDS AND WINERY, LLC

2265 WISTERIA LANE
 PASO ROBLES CA 93446

(805) 238 - 6932

Consultant:

Sheet Contents:

TREE EXHIBIT

Date: 07 FEB 2018

Revised: 19 APRIL 2018

Job No:

Sheet:



OASIS ASSOCIATES
LANDSCAPE ARCHITECTURE + PLANNING

APPLICANT'S RESPONSE
TO THE CITY OF EL PASO DE ROBLES
PLANNING COMMISSION AGENDA STAFF REPORT

**Planned Development (PD 18-001), Oak Tree Removal (OTR 18-14) –
Justin Winery Building No. 3
2265 Wisteria Lane / APN 025-435-027**

10 July 2018

APPLICANT'S REQUEST

The applicant requests that the Planning Commission recommend approval of the project to City Council as follows:

- ✦ Approve draft Resolution A; recommending certification of the Mitigated Negative Declaration for the project; and
- ✦ Approve draft Resolution B; recommending approval of Planned Development 18-001 subject to site-specific conditions of approval.

We note the following excerpts from the staff report and the **applicant's response** to provide the Planning Commission with a comprehensive overview of the applicant's due diligence and thoughtful preparation of the proposed project, including information addressing alternative design scenarios.

Staff's Analysis and Conclusions

The proposal to construct a new wine storage building is consistent with the land use and zoning designations of the property and would complement the existing Justin Vineyard & Winery facility. Additionally, the proposed project is the type of development that was anticipated with the development of the Golden Hills Business Park. However, the design of the project is based on the applicant also requesting to remove thirteen (13) oak trees to accommodate the development footprint. ***The applicant did not consider alternative site designs to retain the oak trees.***

As part of the Planning Commission's role in implementing the Oak Tree Preservation Ordinance, the Planning Commission may recommend to the City Council that the Council permit certain oak trees to be removed, based on factors listed in Section 10.01.050.E of the Ordinance. According to Section 10.01.050.E, ***there are several factors that need to be reviewed when considering the removal of a "healthy" oak tree.*** These factors along with Staff's analysis of each factor are listed below:

Oak Tree Ordinance §10.01.050 E. 2.

The necessity of the requested action to allow construction of improvements or otherwise allow reasonable use of the property for the purpose for which it has been zoned. In this context, it shall be the burden of the person seeking the permit to demonstrate to the satisfaction of the director that there are no reasonable alternatives to the proposed design and use of the property. Every reasonable effort shall be made to avoid impacting oak trees, including but not limited to use of custom building design and incurring extraordinary costs to save oak trees;

There may be reasonable design alternatives to design around the existing oak trees, since the property has other areas that do not have oak trees located on it that could be developed.

Neighborhood Compatibility/Site Design Issues

The project was discussed by the Development Review Committee (DRC) on June 4, 2018 during a field trip to the Justin Vineyard & Winery site. The main issue discussed was the removal of thirteen (13) oak trees to accommodate the proposed building. Although the City's Oak Tree Preservation Ordinance provides provisions for the removal of oaks that are diseased or dying, *the Ordinance indicates "every reasonable effort shall be made to avoid impacting oak trees, including but not limited to use of custom building design and incurring extraordinary costs to save oak trees". This has not been demonstrated with the current proposed building. The site was previously approved for an alternative building design that demonstrated the ability to avoid oak tree impacts.*

APPLICANT'S RESPONSE

In staff's Analysis and Conclusions, they correctly acknowledge that the Golden Hills Business Park was planned and approved for developments, such as the expansion of the applicant's winery complex. The proposed project, previous, and subsequent projects, all represent the success of this business park and its contribution to the City's economic health and sustainability.

Nonetheless, it is important that the Planning Commission recognizes the applicant's April 28, 2018 response to staff's Completeness Review that included the following excerpts addressing alternative site designs, the related oak trees, and responds directly to the staff report comments noted above in *bold italics*.

I. ALTERNATIVES ANALYSES & SITE PLAN MODIFICATIONS

In 2013, a winery storage facility was approved by the City in a different configuration from the currently proposed footprint. There are several reasons that pursuing the current project better responds to the applicant's short- and long-term goals for their operations in San Luis Obispo County and, specifically, in the City of Paso Robles. The following represents a synopsis of items in support of the proposed project.

1. The proposed building has been enlarged to respond to the business growth associated with Justin Winery. The former building included 66,000± square feet, while the proposed building (February 2018 version) included 101,563± square feet. Please note that in response to the oak tree preservation measures and other site plan changes, the building square footage now stands at **109,474 square feet**.
2. While the currently proposed building is an approximate 60%± increase in building square footage over the originally approved plan, there are other factors that led to its current configuration and location on the site. They include the following considerations:
 - a. Additional storage capacity based upon current growth projections.
 - b. Efficiency in the operation of barrel storage. The current configuration has a 0.34 barrels/square foot (SF) vs. a 0.25 barrels/SF storage efficiency. This is accommodated via a more uniform aisle layout and related racking configuration.
 - c. A more uniform aisle and racking layout that provides superior safety considerations for forklift operations and personnel movement within the building.

3. Traffic circulation and parking were also considered with the proposed building configuration, including the following considerations:
 - a. Wider entry drive aisle will allow for off-street truck loading and eliminate truck parking on Wisteria Lane, while providing more appropriate turning maneuverability from Wisteria Lane into the entry drive;
 - b. Designated employee parking will minimize potential conflicts between employee movements and truck traffic;
 - c. A centralized parking lot also eliminates the multiple parking areas that cannot be access controlled and secured; and
 - d. And of course, safety concerns regarding employee vehicles and operational process conflicts (i.e., delivery, production, and storage) will be improved.
4. While the applicant owns the neighboring property to the east, long-term master planning for the future operations made the utilization of this parcel (i.e., relocating the building further east to avoid oak tree removal and the potential need for a lot line adjustment to eliminate building over a property line) infeasible.

II. ARBORIST'S RECOMMENDATIONS & SITE PLAN MODIFICATIONS

The following summarizes the site, grading/drainage, and utility plan changes due to the recommendations of the project arborist.

1. The oak trees "to be removed" as a result of this building expansion will be replaced as directed by the City of Paso Robles and under the supervision of the project arborist.
2. The main drive approach curbing has been reconfigured to eliminate disturbance of the critical root zone of the existing 38-inch oak tree (no. 488), located east of the Wisteria 2 building. This change will allow for the widening of the existing access road with minimal impact to the tree.
3. The new curb and sidewalk located at the front of the proposed structure has been designed to eliminate disturbance to the critical root zone of the existing 32-inch oak tree (no. 472). This also includes the relocation of the stormdrain to eliminate disturbance at the critical root zone.
4. The design now reflects a grade separation between the finished floor elevation (FFE) and the existing grade at the 30-inch oak tree (no. 473). The design requires a retaining wall to be built at this location and surrounding area to maintain the existing grade over the critical root zone of this tree.
5. The access road on the north side of the building has been redesigned to pass between the existing 30-inch oak tree's (no. 473) critical root zone and the multiple 10-12-inch oak trees located along the north property line. The proposed road grade has been lowered to allow for positive drainage of this area that will flow to the access road, thereby eliminating standing water/ponding around the tree.
6. The proposed structure was also moved south to avoid the critical root zone of the existing 30-inch oak tree (no. 473).
7. Finally, all utilities (fire lines, storm drains) have been relocated out of the oak tree's critical root zone (CRZ).

Fiscal Impact

None identified at this time.

APPLICANT'S RESPONSE

While there are costs to government related to most development projects, we believe that these will be offset by this project which represents the growth of a local business and the related increase in short- and long-term jobs, property valuation and property tax¹.

Thank you for the opportunity to share this important information with you. We look forward to our engagement with the Planning Commission.

End of Applicant's Response

¹ Based upon the City of El Paso de Robles' list of principal property taxpayers for the fiscal year 2016-2017, Justin Vineyards and Winery, LLC ranked no. 2 in assessed valuation. Source: HdL Coren & Cone, February 2018

Attachment 6

Draft Resolution C

RESOLUTION NO. PC 18-XXX

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
RECOMMENDING APPROVAL TO THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
FOR PLANNED DEVELOPMENT 18-001
APN: 025-435-027

WHEREAS, an application for Planned Development (PD 18-001) has been filed by Justin Vineyard & Winery, LLC for the Justin Winery Building No. 3 Project to establish a ±101,563 square foot wine storage building located within the existing Justin Vineyard & Winery facility business park; and

WHEREAS, the project would be located on an approximate 5-acre portion of the larger 20.26-acre Justin Vineyards & Winery site, located at 2265 Wisteria Lane; and

WHEREAS, the design of the project would require the removal of thirteen (13) oak trees. Based on the Arborist Report, which indicates the trees to be removed are either dead or in decline, the oak tree removals are warranted based on specific findings listed in Section 10.01.050.E of the Oak Tree Preservation Ordinance and replacement trees will be planted; and

WHEREAS, the General Plan land use designation is Business Park (BP) and the zoning is Planned Industrial (PM). Wineries are a permitted use in the PM zone and are consistent with the BP General Plan designation. Wineries would also include the proposed wine storage building to the Justin Vineyard & Winery facility; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study 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 public hearing was conducted by the Planning Commission on July 10, 2018, where the Planning Commission continued the public hearing to July 31, 2018 in order to provide the accurate building square footages in the project description; and

WHEREAS, a duly noticed public hearing was conducted by the Planning Commission on July 31, 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.

Agenda Item 3

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:

1. The project is consistent with the goals and policies established by the General Plan and Zoning Ordinance, since the project would provide for additional winery related uses within an existing industrial/business park; 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; 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; 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; 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 18-001 is recommended for approval subject to the following:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Site Specific Conditions of Approval
B	Standard Conditions of Approval
C	Project Info. Sheet
D	Overall Site Plan
E	Bldg. No. 3 Grading Plan
F	Parking Lot Grading Plan
G	Landscape Plan, Bldg. 3
H	Landscape Plan, Parking Lot
I	Floor Plan
J	Exterior Elevations

Agenda Item 3

PASSED AND ADOPTED THIS 31st day of July 2018, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

DOUG BARTH, CHAIRPERSON

WARREN FRACE, PLANNING COMMISSION SECRETARY

Exhibit A

Site Specific Conditions of Approval – PD 18-001

Planning Division Conditions:

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

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

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
B	Standard Conditions of Approval
C	Overall Site Plan
D	Conceptual Grading and Utilities Plan, Sheets 1 and 2
E	Landscape Plan, Sheets 1 and 2
F	Floor Plan
G	Exterior Elevations

2. 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 18-001 shall expire on July 10, 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.
3. All new lighting shall be shielded and directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties.
4. Prior to the issuance of a building permit the following final details shall be submitted for Planning Division Staff review:
 - a. Final site plan and architectural elevations;
 - b. Exterior light fixtures;
 - c. Final colors/materials;
 - d. Detailed landscape plan including transformer, backflow and other equipment screening;
Note: Landscape plan is subject to the requirements within the LS Ordinance.
5. 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.

Mitigation Measures – Conditions of Approval:

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 APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j. '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,

Agenda Item 3

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 devices 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 shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when 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 and reduce visible emissions below the APCD’s limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD 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.

Agenda Item 3

- 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.

BR-1. The canopy edge and trunk location of oak trees within 50 feet of proposed construction on the Property shall be surveyed by a licensed land surveyor and placed on all plan sets. Tree assessments should be conducted by a certified arborist or qualified botanist. Data collected for the tree shall include diameter at breast height (4.5 feet) of each stem/trunk, canopy diameter, tree height, tree health, and habitat notes (cavities for birds or bats), raptor nests, wood rat nests, and unique features. The tree map shall be used to determine impacts to trees from the project and will inform the mitigation plan.

BR-2. Impacts to the oak canopy or critical root zones (CRZ) should be avoided where practicable. Impacts include pruning, ground disturbance within the CRZ, and trunk damage.

BR-3. Prior to ground breaking, tree protection fencing shall be installed as close to the outer limit of the CRZ as practicable for construction operations. The fencing shall be in place throughout the duration of the project, and removed only under the direction of the project environmental monitor or arborist, while demolition is in progress.

BR-4. Trenching within the CRZ must be approved by the project arborist, and shall be done by hand or with an air spade. Any roots exposed by demolition shall be treated by a tree care specialist and covered with a layer of soil to match existing topography.

BR-5. Landscape material within the CRZ must be of native, drought tolerant species. Lawns are prohibited within the CRZ.

BR-6. Paving adjacent to and within the CRZ shall utilize interlocking pavers or equivalent that will allow proper infiltration of water and exchange of oxygen to the root zone of the tree.

BR-7. Tree removal, if approved, shall commence within 30 days of inspection by a qualified biologist to determine the tree is not being used by nesting birds or bats at the time of removal.

Agenda Item 3

BR-8. Impacts to oak trees shall be assessed by a licensed arborist or qualified botanist prior to final inspection, and reported to the County.

BR-9. Impacts to oaks shall be mitigated by planting additional trees on site. Any oak tree with a dbh of five inches or greater shall require mitigation. Oaks removed shall be replaced in kind at a 25% of replacement inches.

BR-10. Replacement trees should be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least 7 years. Replacement trees shall be the same species as the tree impacted or removed, and of local origin.

BR-11. Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during the breeding season from March 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 active raptor nests. 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. A map of the Project site and nest locations shall be included with the report. The Project biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.

BR-12. A focused preconstruction survey for legless lizards shall be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by the project biologist. The preconstruction survey shall be conducted by a qualified biologist familiar with legless lizard ecology and survey methods, and with approval from California Department of Fish and Game to relocate legless lizards out of harm's way. The scope of the survey shall be determined by a qualified biologist and shall be sufficient to determine presence or absence in the project areas. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If legless lizards are found to be present in the proposed work areas the following steps shall be taken:

- Legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas.
- Construction monitoring shall be required for all new ground-breaking activities located within legless lizard habitat. Construction monitors shall capture and relocate horned lizards as specified above.
- A letter report shall be submitted to the County and CDFW within 30 days of legless lizard relocation, or as directed by CDFW.

BR-13. Occupied nests of special status bird species shall be mapped using GPS or survey equipment. Work shall not be allowed within a 100 foot buffer for songbirds and 300 for nesting raptors while the nest is in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.

Agenda Item 3

BR-14. Occupied nests of special status bird species that are within 100 feet of project work areas shall be monitored at least every two weeks through the nesting season to document nest success and check for project compliance with buffer zones. Once burrows or nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work may commence in these areas.

BR-15. A preconstruction survey shall be conducted within thirty days of beginning work on the site to identify if badgers are using the site. The results of the survey shall be sent to the project manager and the County of San Luis Obispo. 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 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.

BR-16. Prior to removal of any trees over 20 inches DBH, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. If a non-maternal roost is found, the qualified biologist, with prior approval from California Department of Fish and Game, will install one-way valves or other appropriate passive relocation method. For each occupied roost removed, one bat box shall be installed in similar habitat and should have similar cavity or crevices properties to those which are removed, including access, ventilation, dimensions, height above ground, and thermal conditions. Maternal bat colonies may not be disturbed.

BR-17 (**BR-1, Res. 06-028**). Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of Paso Robles, Community Development Department (City) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of **70.02** 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 Wildlife (Department) and the City.
This mitigation alternative (a.) requires that all aspects of this program must be in place before City permit issuance or initiation of any ground disturbing activities.
- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The

Agenda Item 3

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 **\$175,050**. This fee is calculated based on the current cost-per-unit of \$2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to City permit issuance and initiation of any ground disturbing activities.

- c. Purchase **70.02** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity. Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total **\$175,050**. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to City permit issuance and initiation of any ground disturbing activities.

BR-18. 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:

- o 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.
- o 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-28. 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.
- o Prior to or during project activities, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFW for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work.
If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the USFWS. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

Agenda Item 3

- i. 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-19. 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-20. 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-21. 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-22. 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.

Agenda Item 3

BR-23. 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-24. 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-25. 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-26. 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-27. 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. 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

CR-1. Prior to the issuance of a Grading Permit, a Phase I Archeological Survey shall be completed to confirm the 1996 Survey, that no known cultural resources exist on the site.

Engineering Division Conditions:

1. Prior to building permit issuance, the applicant shall submit a final stormwater control plan detailing designs and compliance with all applicable Stormwater Tiers.
2. Prior to building permit issuance, the applicant shall submit the final grading, utility, and drainage plan.

Exhibit B

CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS

Planned Development _____ Conditional Use Permit _____

Tentative Parcel Map _____ Tentative Tract Map _____

Approval Body: Planning Commission Date of Approval: July 10, 2018

Applicant: Justin Vineyards & Winery Location: Wisteria Lane

APN: 025-435-027

The following conditions that have been checked are standard conditions of approval for the above referenced project. The checked conditions shall be complied with in their entirety before the project can be finalized, unless otherwise specifically indicated. In addition, there may be site specific conditions of approval that apply to this project in the resolution.

COMMUNITY DEVELOPMENT DEPARTMENT - The applicant shall contact the Community Development Department, (805) 237-3970, for compliance with the following conditions:

A. GENERAL CONDITIONS – PD/CUP:

- 1. This project approval shall expire on July 10, 2020 unless a time extension request is filed with the Community Development Department, or a State mandated automatic time extension is applied prior to expiration.
- 2. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Planned Development process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- 3. To the extent allowable by law, Owner agrees to hold City harmless from costs and expenses, including attorney’s fees, incurred by City or held to be the liability of City in connection with City’s defense of its actions in any proceeding brought in any State or Federal court challenging the City’s actions with respect to the project. Owner understands and acknowledges that City is under no obligation to defend any legal actions challenging the City’s actions with respect to the project.

(Adopted by Planning Commission Resolution _____)

Agenda Item 3

- 4. Any site specific condition imposed by the Planning Commission in approving this project (**Planned Development**) may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval.
- 5. The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition.
- 6. All signs shall be subject to review and approval as required by Municipal Code Section 21.19 and shall require a separate application and approval prior to installation of any sign.
- 7. All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block.
- 8. Prior to the issuance of a Building Permit a landscape and irrigation plan consistent with the Landscape and Irrigation Ordinance, shall be submitted for City review and approval. The plan needs to be designed in a manner that utilizes drought tolerant plants, trees and ground covers and minimizes, if not eliminates the use of **turf**. The irrigation plan shall utilize drip irrigation and limit the use of spray **irrigation**. All existing and/or new landscaping shall be installed with automatic irrigation systems.
- 9. A reciprocal parking and access easement and agreement for site access, parking, and maintenance of all project entrances, parking areas, landscaping, hardscape, common open space, areas and site lighting standards and fixtures, shall be recorded prior to or in conjunction with the Final Map. Said easement and agreement shall apply to all properties, and be referenced in the site Covenants, Conditions and Restrictions (CC&Rs).
- 10. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.
- 11. For commercial, industrial, office or multi-family projects, all refuse enclosures are required to provide adequate space for recycling bins. The enclosure shall be architecturally compatible with the primary building. Gates shall be view obscuring and constructed of durable materials. Check with Paso Robles Waste Disposal to determine the adequate size of enclosure based on the number and

(Adopted by Planning Commission Resolution _____)

Agenda Item 3

size of containers to be stored in the enclosure.

- 12. For commercial, industrial, office or multi-family projects, all existing and/or new ground-mounted appurtenances such as air-conditioning condensers, electrical transformers, backflow devices etc., shall be screened from public view through the use of decorative walls and/or landscaping subject to approval by the Community Development Director or his designee. Details shall be included in the building plans.
- 13. All existing and/or new roof appurtenances such as air-conditioning units, grease hoods, etc. shall be screened from public view. The screening shall be architecturally integrated with the building design and constructed of compatible materials to the satisfaction of the Community Development Director or his designee. Details shall be included in the building plans.
- 14. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and shall be subject to approval by the Community Development Director or his designee.
- 15. All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block.
- 16. It is the property owner's responsibility to insure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents.
- 17. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No.835 N.S., Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to removal.
- 18. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
- 19. Prior to recordation of the map or prior to occupancy of a project, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.

(Adopted by Planning Commission Resolution _____)

Agenda Item 3

20. Two sets of the revised Planning Commission approved plans incorporating all Conditions of Approval, standard and site specific, shall be submitted to the Community Development Department prior to the issuance of building permits.
21. Prior to the issuance of building permits, the
- Development Review Committee shall approve the following:
 - Planning Division Staff shall approve the following:
 - a. A detailed site plan indicating the location of all structures, parking layout, outdoor storage areas, walls, fences and trash enclosures;
 - b. A detailed landscape plan;
 - c. Detailed building elevations of all structures indicating materials, colors, and architectural treatments;
 - d. Other: grading plan

B. GENERAL CONDITIONS – TRACT/PARCEL MAP:

1. In accordance with Government Section 66474.9, the subdivider shall defend, indemnify and hold harmless the City, or its agent, officers and employees, from any claim, action or proceeding brought within the time period provided for in Government Code section 66499.37, against the City, or its agents, officers, or employees, to attack, set aside, void, annul the City's approval of this subdivision. The City will promptly notify subdivider of any such claim or action and will cooperate fully in the defense thereof.
2. The Covenants, Conditions, and Restrictions (CC&Rs) and/or Articles Affecting Real Property Interests are subject to the review and approval of the Community Development Department, the Public Works Department and/or the City Attorney. They shall be recorded concurrently with the Final Map or prior to the issuance of building permits, whichever occurs first. A recorded copy shall be provided to the affected City Departments.
3. The owner shall petition to annex residential Tract (or Parcel Map) _____ into the City of Paso Robles Community Facilities District No. 2005-1 for the purposes of mitigation of impacts on the City's Police and Emergency Services Departments.
4. Street names shall be submitted for review and approval by the Planning Commission, prior to approval of the final map.
5. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:
- _____
- _____

(Adopted by Planning Commission Resolution _____)

ENGINEERING DIVISION- The applicant shall contact the Engineering Division, (805) 237-3860, for compliance with the following conditions:

All conditions marked are applicable to the above referenced project for the phase indicated.

C. PRIOR TO ANY PLAN CHECK:

- 1. The applicant shall enter into an Engineering Plan Check and Inspection Services Agreement with the City.

D. PRIOR TO ISSUANCE OF A GRADING PERMIT:

- 1. Prior to approval of a grading plan, the developer shall apply through the City, to FEMA and receive a Letter of Map Amendment (LOMA) issued from FEMA. The developer's engineer shall provide the required supporting data to justify the application.
- 2. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No. 553, Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to its removal.
- 3. A complete grading and drainage plan shall be prepared for the project by a registered civil engineer and subject to approval by the City Engineer. The project shall conform to the City's Storm Water Discharge Ordinance.
- 4. A Preliminary Soils and/or Geology Report providing technical specifications for grading of the site shall be prepared by a Geotechnical Engineer.
- 5. A Storm Water Pollution Prevention Plan per the State General Permit for Storm Water Discharges Associated with Construction Activity shall be provided for any site that disturbs greater than or equal to one acre, including projects that are less than one acre that are part of a larger plan of development or sale that would disturb more than one acre.

E. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

- 1. All off-site public improvement plans shall be prepared by a registered civil engineer and shall be submitted to the City Engineer for review and approval. The improvements shall be designed and placed to the Public Works Department

(Adopted by Planning Commission Resolution _____)

Standards and Specifications.

- 2. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility.
- 3. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require approval by the Streets Division Supervisor and the Community Development Department.
- 4. In a special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM) the owner shall provide an Elevation Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor or civil engineer licensed in the State of California.

F. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR RECORDATION OF THE FINAL MAP:

The Planning Commission has made a finding that the fulfillment of the construction requirements listed below are a necessary prerequisite to the orderly development of the surrounding area.

- 1. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services.
- 2. All public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance.
- 3. The owner shall offer to dedicate and improve the following street(s) to the standard indicated:

Street Name	City Standard	Standard Drawing No.
-------------	---------------	----------------------

- 4. If, at the time of approval of the final map, any required public improvements have not been completed and accepted by the City the owner shall be required to enter into a Subdivision Agreement with the City in accordance with the Subdivision Map Act.

Bonds required and the amount shall be as follows:
 Performance Bond.....100% of improvement costs.
 Labor and Materials Bond.....50% of performance bond.

- 5. If the existing City street adjacent to the frontage of the project is inadequate for the traffic generated by the project, or will be severely damaged by the construction, the applicant shall excavate the entire structural section and replace it with a standard half-width street plus a 12' wide travel lane and 8' wide graded

(Adopted by Planning Commission Resolution _____)

Agenda Item 3

shoulder adequate to provide for two-way traffic.

- 6. If the existing pavement and structural section of the City street adjacent to the frontage of the project is adequate, the applicant shall provide a new structural section from the proposed curb to the edge of pavement and shall overlay the existing paving to centerline for a smooth transition.
- 7. Due to the number of utility trenches required for this project, the City Council adopted Pavement Management Program requires a pavement overlay on _____ along the frontage of the project.
- 8. The applicant shall install all utilities underground. Street lights shall be installed at locations as required by the City Engineer. All existing overhead utilities adjacent to or within the project shall be relocated underground except for electrical lines 77 kilovolts or greater. All utilities shall be extended to the boundaries of the project.
- 9. The owner shall offer to dedicate to the City the following easement(s). The location and alignment of the easement(s) shall be to the description and satisfaction of the City Engineer:
 - a. Public Utilities Easement;
 - b. Water Line Easement;
 - c. Sewer Facilities Easement;
 - d. Landscape Easement;
 - e. Storm Drain Easement.
- 10. The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following:
 - a. Street lights;
 - b. Parkway/open space landscaping;
 - c. Wall maintenance in conjunction with landscaping;
 - d. Graffiti abatement;
 - e. Maintenance of open space areas.
- 11. For a building with a Special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM), the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance Program. This form must be completed by a lands surveyor or civil engineer licensed in the State of California.
- 12. All final property corners shall be installed.
- 13. All areas of the project shall be protected against erosion by hydro seeding or landscaping.

(Adopted by Planning Commission Resolution _____)

- 14. All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood gypsum board, etc.) and removed from the project in accordance with the City's Source Reduction and Recycling Element.
- 15. Clear blackline mylars and paper prints of record drawings, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. An electronic autocad drawing file registered to the California State Plane – Zone 5 / NAD83 projected coordinate system, units in survey feet, shall be provided.

PASO ROBLES DEPARTMENT OF EMERGENCY SERVICES- The applicant shall contact the Department of Emergency Services, (805) 227-7560, for compliance with the following conditions:

G. GENERAL CONDITIONS

- 1. Prior to the start of construction:
 - Plans shall be reviewed, approved and permits issued by Emergency Services for underground fire lines.
 - Applicant shall provide documentation to Emergency Services that required fire flows can be provided to meet project demands.
 - Fire hydrants shall be installed and operative to current, adopted edition of the California Fire Code.
 - A based access road sufficient to support the department's fire apparatus (HS-20 truck loading) shall be constructed and maintained for the duration of the construction phase of the project.
 - Access road shall be at least twenty (20) feet in width with at least thirteen (13) feet, six (6) inches of vertical clearance.
 - Truck access road shall be at least twenty six (26) feet in width with at least thirteen (13) feet, six (6) inches of vertical clearance. Minimum setback fifteen (15) feet, maximum of thirty (30) feet.
 - Dead-End: Project shall provide secondary access of approved fire access road(s).

- 2. Provide central station monitored fire sprinkler system for all residential, commercial and industrial buildings that require fire sprinklers in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code.
 - Plans shall be reviewed, approved and permits issued by Emergency Services for the installation of fire sprinkler systems.

- 3. Provide central station monitored fire alarm system for all residential, commercial and industrial buildings that require fire alarm system in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal

(Adopted by Planning Commission Resolution _____)

Agenda Item 3

Code.

4. If required by the Fire Chief, provide on the address side of the building if applicable:
 - Fire alarm annunciator panel in weatherproof case.
 - Knox box key entry box or system.
 - Fire department connection to fire sprinkler system.
5. Provide temporary turn-around to current City Engineering Standard for phased construction streets that exceed 150 feet in length.
6. Project shall comply with all requirements in current, adopted edition of California Fire Code and Paso Robles Municipal Code.
7. Prior to the issuance of Certificate of Occupancy:
 - Final inspections shall be completed on all underground fire lines, fire sprinkler systems, fire alarm systems and chemical hood fire suppression systems.
 - Final inspections shall be completed on all buildings.

(Adopted by Planning Commission Resolution _____)



Architecture, Planning & Graphics
3550 Sacramento Dr., Suite 110
San Luis Obispo, California 93401
(805) 541-5604

These drawings are instruments of service and are property of Steven D. Pults, AIA & Associates, LLP. All design and other information on the drawings are for use on the specified project and shall not be used otherwise without the expressed written permission of Steven D. Pults, AIA & Associates, LLP.

Project:

JUSTIN WISTERIA 3

TRACT 2778-2
LOTS 9-14
2295 WISTERIA LANE
PASO ROBLES
CA 93446

Owner:

JUSTIN VINEYARDS AND WINERY, LLC

2265 WISTERIA LANE
PASO ROBLES
CA 93446
(805) 238 - 6932

Consultant:

JUSTIN WISTERIA 3

PASO ROBLES, CA

VICINITY MAP



SYMBOLS

- ① DIMENSIONAL GRID LINE
- ⊙ DOOR MARK
REFER TO DOOR SCHEDULE
- ⊕ WINDOW MARK
REFER TO WINDOW SCHEDULE
- ⊖ WINDOW ABOVE
REFER TO WINDOW SCHEDULE
- REFERENCE NOTE
- ⊕-1 DETAIL NUMBER
SHEET SHOWN ON SECTION
- ⊖-1 DETAIL NUMBER
SHEET SHOWN ON SECTION

DIRECTORY

OWNER
JUSTIN VINEYARDS AND WINERY, LLC
2265 CHIMNEY ROCK ROAD
PASO ROBLES, CA 93446
(805) 238-6452

PROJECT PLANNER/AGENT
OASIS ASSOCIATES, INC.
9421 MIGUELITO COURT
SAN LUIS OBISPO, CA 93401
(805) 541-4504

ARCHITECT
PULTS & ASSOCIATES, LLP
3542 SACRAMENTO DRIVE, SUITE 140
SAN LUIS OBISPO, CA 93401
(805) 541-5604

**CIVIL ENGINEER - GRADING
LANDMARK SURVEYING & ENGINEERING**
3101 N. SLEIGHT AVENUE, SUITE 103
BANKERSFIELD, CA 93905
(861) 854-1423

CIVIL ENGINEER - WASTEWATER
WALLACE GROUP
412 CLARION COURT
SAN LUIS OBISPO, CA 93401
(805) 544-4011

LANDSCAPE ARCHITECT
STEVEN P. GARNETT
P.O. BOX 1241
SAN LUIS OBISPO, CA 93406
(805) 544-6424

PROJECT SUMMARY

LEGAL: TRACT 2778-1, BEING A INDUSTRIAL SUBDIVISION OF OAKWOOD ORCHARD TRACT AS RECORDED IN BOOK 3, PAGE 69 OF MAPS IN THE CITY OF PASO ROBLES IN THE COUNTY OF SAN LUIS OBISPO IN THE STATE OF CALIFORNIA

ZONING: PM-PLANNED INDUSTRIAL

APN: 025-435-027

SITE: 112.44 ACRES (NET)

BUILDINGS: EXISTING WINERY BUILDINGS

BUILDING 1:	
FLOOR AREA	131,917 SF
COVERED MECH YARD	1756 SF
BUILDING 2:	
FLOOR AREA	166,942 SF
COVERED MECH YARD	13,646 SF
COVERED CRUSH PAD	16,750 SF

NEW BARREL STORAGE BUILDING

BARREL STORAGE	103,970 SF
OFFICE/BATHROOMS	1,205 SF
SHIPPING & RECEIVING	1,550 SF
ELECTRICAL	1,405 SF
TOTAL (NET)	107,641 SF

NEW BUILDING GROSS AREA 104,474 SF

COVERED MECH YARD 2,256 SF

MAX HEIGHT: NEAR WINERY

AVERAGE GRADE:
803.5 - 788
2
800.15'

ALLOWED: (50'-0" MAX. PER TABLE 21.16.210)
802' - 50" *
850.15'

PROPOSED:
804.50' FF + 92.00' *
896.50'

PARKING:	EXISTING BUILDINGS		
	BUILDING 1:	REQUIRED PARKING	56 SPACES
	BUILDING 2:	REQUIRED PARKING	56 SPACES
	NEW BUILDING 3:	WINE STORAGE/SHIPPING/RECEIVING	21 SPACES
		OFFICE/MISC.	1 SPACES
		TOTAL REQUIRED	22 SPACES
		TOTAL REQ'D FOR BUILDINGS 1, 2 AND 3	44 SPACES
		PROVIDED	
		(E) STANDARD TO REMAIN	34 SPACES
		(E) ACCESSIBLE TO REMAIN	4 SPACES
		NEW STANDARD	108 SPACES
		NEW ACCESSIBLE	4 SPACES
		TOTAL PROVIDED	158 SPACES

SHEET INDEX

- T - 1 TITLE SHEET
 - CIVIL**
 - AG-1 SITE PLAN
 - C-1 CONCEPTUAL GRADING AND UTILITIES
 - C-2 CONCEPTUAL GRADING AND UTILITIES
 - LANDSCAPE**
 - L-1 PLANTING PLAN AT BUILDING
 - L-2 PLANTING PLAN AT PARKING LOT
 - ARCHITECTURAL**
 - A-1 FLOOR PLAN
 - A-2 EXTERIOR ELEVATIONS
- TOTAL - 8 SHEETS

PROJECT DESCRIPTION

Construction of a 1-story, 104,474 square foot wine storage warehouse and associated site improvements.

Sheet Contents:

TITLE SHEET



Date: 22 AUG 2011

Revised: 7 FEB 18 PLNG SUBMITTAL
20 APR 18 PLNG RESUBMITTAL

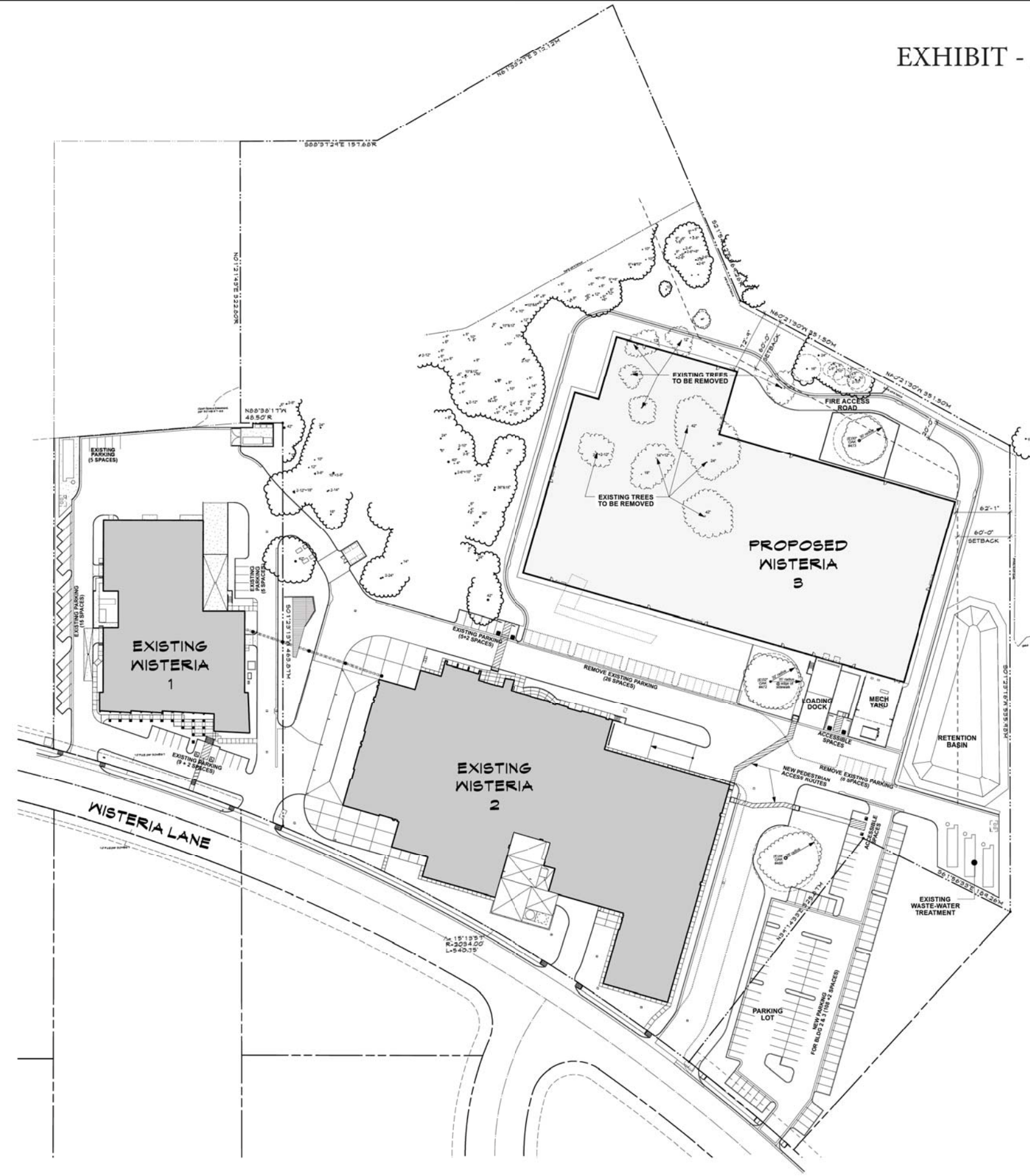
Job No:

1724

Sheet:

T - 1

EXHIBIT - D



OVERALL SITE PLAN
1" = 50' - 0"



Architecture, Planning & Graphics
 3592 Sacramento Dr., Suite 140
 San Luis Obispo, California 93401
 (805) 541-5604 voice

These drawings are instruments of service and are property of Steven D. Pulte, AIA & Associates, LLP. All design and other information on the drawings are for use on the specified project and shall not be used otherwise without the expressed written permission of Steven D. Pulte, AIA & Associates, LLP.

Project:
JUSTIN WISTERIA 3
 TRACT 2778-2
 LOTS 9-14
 2295 WISTERIA LANE
 PASO ROBLES
 CA 93446

Owner:
JUSTIN VINEYARDS AND WINERY, LLC
 2265 WISTERIA LANE
 PASO ROBLES
 CA 93446
 (805) 238 - 6932

Consultant:

Sheet Contents:
OVERALL SITE PLAN



Date: 1 FEB 15
 Revised: 7 FEB 15 PLNG SUBMITTAL
 20 APR 15 PLNG RESUBMITTAL

Job No: 1724

Sheet:
AC-1

EXHIBIT - E

LEGEND

---	GRADE BREAK
---	CENTERLINE
---	PROPERTY LINE
---	PROPOSED BLDG FOOT PRINT
---	EXISTING BLDG FOOT PRINT
S	EXISTING SEWER LINE & SIZE (IF KNOWN)
W	EXISTING WATER LINE & SIZE (IF KNOWN)
PW	EXISTING PROCESSED WATER LINE & SIZE (IF KNOWN)
SD	EXISTING STORM DRAIN LINE & SIZE (IF KNOWN)
---	EXISTING CURB & GUTTER
---	EXISTING EDGE OF PAVEMENT
---	EXISTING FENCE

(A) 4.02	DETAIL DESIGNATION SHEET NUMBER	DETAIL REFERENCE - DETAIL DESIGNATION (TOP) SHEET No. (BOTTOM)
[Symbol]	PROPOSED CONCRETE PAVING	2.0% PROPOSED GRADIENT
[Symbol]	PROPOSED ASPHALT PAVING	FL = FINISHED SURFACE
[Symbol]	PROPOSED LANDSCAPING	FS = FINISHED FLOOR
[Symbol]		FP = FINISHED PAD
[Symbol]		INV = INVERT OF PIPE
[Symbol]		TC = TOP OF CONCRETE
[Symbol]		TOG = TOP OF GRATE
[Symbol]		TP = TOP OF PAVEMENT
[Symbol]		GB = GRADE BREAK

CONSTRUCTION NOTES (THIS SHEET ONLY)

- 1 RETENTION BASIN
- 2 AC PAVEMENT AREA T1 OF 6.5, AC 3.75" OVER 6.5" OF CLASS 2 AGG. BASE. VERIFY WITH SOILS ENGINEER PRIOR TO CONSTRUCTION.
- 3 CONCRETE SLAB AREA, REFER TO PAVING PLAN.
- 4 CONCRETE CROSS GUTTER, PER CITY OF PASO ROBLES, STD DETAIL C-6 ON SHEET C6.01.
- 5 CONCRETE CURB & GUTTER, PER CITY OF PASO ROBLES, STD DETAIL C-1 ON SHEET C6.01.
- 6 CONCRETE CURB, PER CITY OF PASO ROBLES, STD DETAIL C-2 ON SHEET C6.01.
- 7 12" CONCRETE CURB HEIGHT (FULLISH CURB)
- 8 TRUCK DOCK, REFER TO ARCHITECTURAL PLANS.
- 9 FIRE HYDRANT INSTALLATION, PER CITY OF PASO ROBLES, STD DETAIL G-1 ON SHEET C6.02.
- 10 INTENTIONALLY DELETED
- 11 SANITARY MANHOLE, PER CITY OF PASO ROBLES, STD DETAIL F-3 ON SHEET C6.01.
- 12 INTENTIONALLY DELETED
- 13 INSTALL LINEAR TRENCH DRAIN SEE PLUMBING PLANS.
- 14 SAW CUT AND MATCH POINT. PROVIDE SMOOTH TRANSITION.
- 15 AC PAVEMENT IN PARKING AREA T1 OF 4.5, AC 2.5" OVER 6" OF CLASS 2 AGG. BASE. VERIFY WITH SOILS ENGINEER PRIOR TO CONSTRUCTION.
- 16 SEE GRADES AND GRADE BREAK FOR ACCESSIBLE PATH ON SHEET C4.03.
- 17 INSTALL CURB RAMP, PER CITY OF PASO ROBLES, STD DETAIL C-8.1 "CASE F" ON SHEET C6.01, (TIE INTO EXISTING SIDEWALK)
- 18 INSTALL 24"x24" DROP INLET W/ H20 GRATE, MID-STATE CONCRETE PRODUCT OR EQUAL.
- 19 INSTALL 36"x36" DROP INLET W/ H20 GRATE, MID-STATE CONCRETE PRODUCT OR EQUAL.

ADDITIONAL NOTES

1. SEE SOILS REPORT FOR OVER-EX AND PAD PREPARATION
2. VERIFY CONCRETE SLAB THICKNESS PRIOR TO GRADING
3. ONSITE WHEEL CHAIR RAMPS SHALL MEET THE REQUIREMENTS OF THE CALIFORNIA BUILDING CODE. WHEEL CHAIR RAMPS ALONG WISTERIA LANE OR ANY OTHER PUBLIC RIGHT OF WAY WILL MEET THE REQUIREMENTS OF THE CITY OF PASO ROBLES.

DEMOLITION NOTE

CONTRACTOR TO VERIFY TREE REMOVAL AS SHOWN ON PLANS WITH OWNER.
REMOVAL OF EXISTING STORM DRAIN SYSTEM NORTH OF EXISTING PARKING LOT SHALL BE COORDINATED WITH THE ENGINEER PRIOR TO REMOVAL.



Architecture, Planning & Graphics
3592 Sacramento Dr., Suite 140
San Luis Obispo, California 93401
805/541-5604 voice
805/541-5604 fax

Project:
WISTERIA 3

R.O.S. 105-36
PARCEL 1
WISTERIA LANE
PASO ROBLES
CA 93446

Owner:
JUSTIN VINEYARDS AND WINERY, LLC

2265 WISTERIA LANE
PASO ROBLES
CA 93446
(805) 238 - 6932

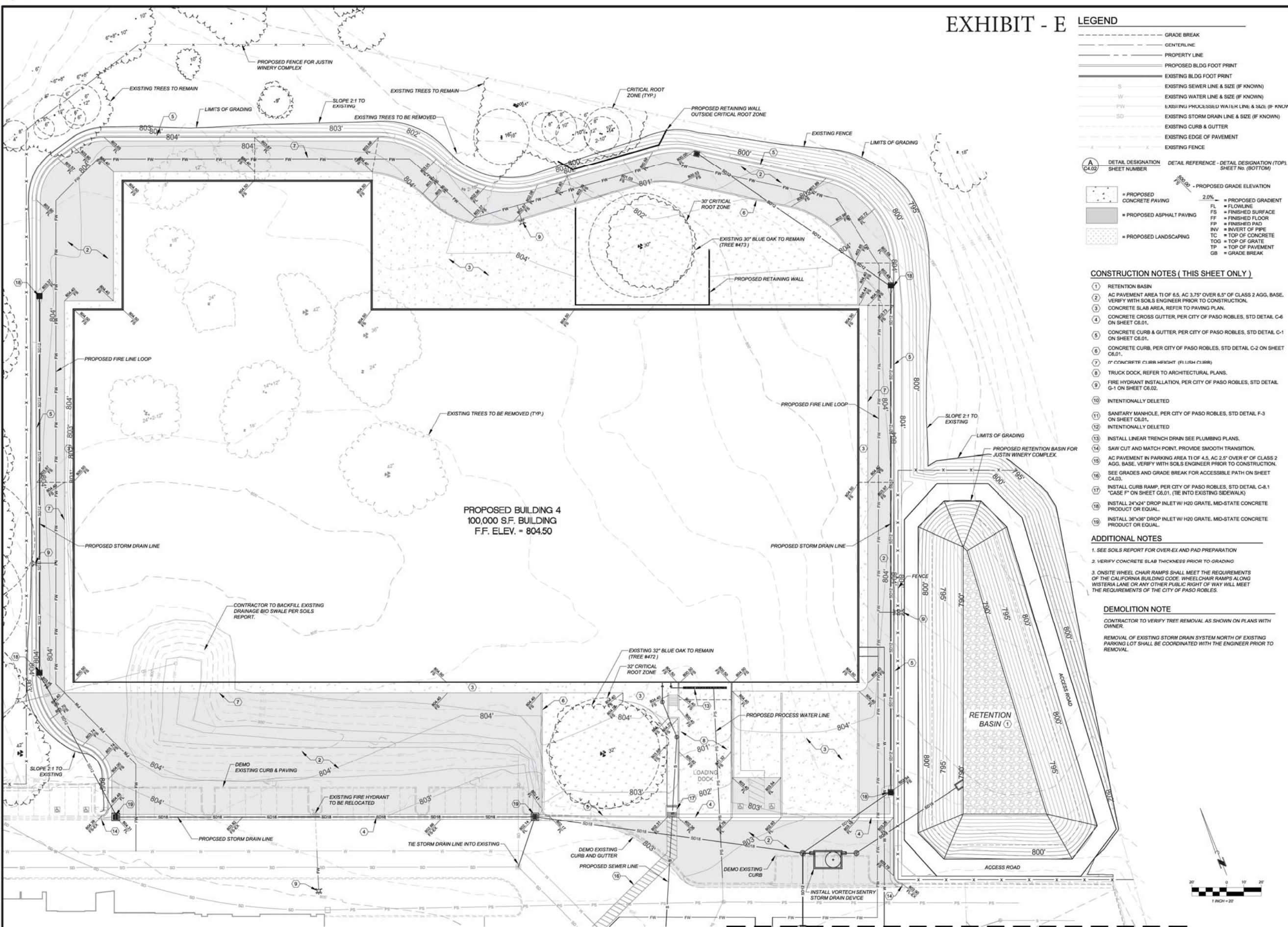
Consultant:
LANDMARK SURVEYING & ENGINEERING
3514 N. BELLEVUE AVENUE, SUITE 100 | ANNEHEIM, CALIFORNIA 92805
TEL: 714.940.1000 | FAX: 714.940.1001 | WWW.LANDMARKCA.COM

Sheet Contents:
CONCEPTUAL GRADING & UTILITIES PLAN

Date: 20 APRIL 2018
Revised:

Job No: 1253.17

Sheet: C1



MATCH LINE - SEE SHEET 4.02

EXHIBIT - F

LEGEND

- GRADE BREAK
- CENTERLINE
- PROPERTY LINE
- PROPOSED BLDG FOOT PRINT
- EXISTING BLDG FOOT PRINT
- S --- EXISTING SEWER LINE & SIZE (IF KNOWN)
- W --- EXISTING WATER LINE & SIZE (IF KNOWN)
- PW --- EXISTING PROCESSED WATER LINE & SIZE (IF KNOWN)
- SD --- EXISTING STORM DRAIN LINE & SIZE (IF KNOWN)
- EXISTING CURB & GUTTER
- EXISTING EDGE OF PAVEMENT
- EXISTING FENCE

(A) C4.02 DETAIL DESIGNATION SHEET NUMBER DETAIL REFERENCE - DETAIL DESIGNATION (TOP) SHEET No. (BOTTOM)

- [Symbol] = PROPOSED CONCRETE PAVING
- [Symbol] = PROPOSED ASPHALT PAVING
- [Symbol] = PROPOSED LANDSCAPING
- [Symbol] = FLOWLINE
- FL = FINISHED SURFACE
- FF = FINISHED FLOOR
- FP = FINISHED PAD
- INV = INVERT OF PIPE
- TC = TOP OF CONCRETE
- TOG = TOP OF GRATE
- TP = TOP OF PAVEMENT
- GB = GRADE BREAK
- 2.0% = PROPOSED GRADIENT

CONSTRUCTION NOTES (THIS SHEET ONLY)

- (1) INTENTIONALLY DELETED
- (2) AC PAVEMENT AREA T1 OF 6.5, AC 3.75" OVER 6.5" OF CLASS 2 AGG. BASE, VERIFY WITH SOILS ENGINEER PRIOR TO CONSTRUCTION.
- (3) CONCRETE SLAB AREA, REFER TO PAVING PLAN.
- (4) CONCRETE CROSS GUTTER, PER CITY OF PASO ROBLES, STD DETAIL C-6 ON SHEET C6.01.
- (5) CONCRETE CURB & GUTTER, PER CITY OF PASO ROBLES, STD DETAIL C-1 ON SHEET C6.01.
- (6) CONCRETE CURB, PER CITY OF PASO ROBLES, STD DETAIL C-2 ON SHEET C6.01.
- (7) INTENTIONALLY DELETED
- (8) INTENTIONALLY DELETED
- (9) INTENTIONALLY DELETED
- (10) FIRE DEPARTMENT CONNECTION (FDC) & POST INDICATOR VALVE (PIV), PER CITY OF PASO ROBLES, STD DETAIL 2 ON SHEET C5.02.
- (11) INTENTIONALLY DELETED
- (12) INTENTIONALLY DELETED
- (13) INTENTIONALLY DELETED
- (14) SAW CUT AND MATCH POINT, PROVIDE SMOOTH TRANSITION.
- (15) AC PAVEMENT IN PARKING AREA T1 OF 4.5, AC 2.5" OVER 6" OF CLASS 2 AGG. BASE, VERIFY WITH SOILS ENGINEER PRIOR TO CONSTRUCTION.
- (16) SEE GRADES AND GRADE BREAK FOR ACCESSIBLE PATH ON SHEET C4.03.
- (17) INSTALL CURB RAMP, PER CITY OF PASO ROBLES, STD DETAIL C-8.1 "CASE F" ON SHEET C6.01, (TIE INTO EXISTING SIDEWALK)
- (18) INSTALL 24"x24" DROP INLET W/ H20 GRATE, MID-STATE CONCRETE PRODUCT OR EQUAL.
- (19) INTENTIONALLY DELETED

ADDITIONAL NOTES

1. SEE SOILS REPORT FOR OVER-EX AND PAD PREPARATION
2. VERIFY CONCRETE SLAB THICKNESS PRIOR TO GRADING
3. ONSITE WHEEL CHAIR RAMPS SHALL MEET THE REQUIREMENTS OF THE CALIFORNIA BUILDING CODE. WHEEL CHAIR RAMPS ALONG WISTERIA LANE OR ANY OTHER PUBLIC RIGHT OF WAY WILL MEET THE REQUIREMENTS OF THE CITY OF PASO ROBLES.

DEMOLITION NOTE

CONTRACTOR TO VERIFY TREE REMOVAL AS SHOWN ON PLANS WITH OWNER.
REMOVAL OF EXISTING STORM DRAIN SYSTEM NORTH OF EXISTING PARKING LOT SHALL BE COORDINATED WITH THE ENGINEER PRIOR TO REMOVAL.



Architecture, Planning & Graphics
3592 Sacramento Dr., Suite 140
San Luis Obispo, California 93401
805/541-5604
These drawings are instruments of service and are property of Steven D. Pulits, AIA & Associates, LLP. All design and other information on the drawings are for use on the specified project and shall not be used otherwise without the expressed written permission of Steven D. Pulits, AIA & Associates, LLP.

Project:

WISTERIA 3

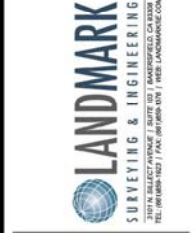
R.O.S. 105-36
PARCEL 1
WISTERIA LANE
PASO ROBLES
CA 93446

Owner:

JUSTIN VINEYARDS
AND WINERY, LLC

2265 WISTERIA LANE
PASO ROBLES
CA 93446
(805) 238 - 6932

Consultant:



Sheet Contents:
CONCEPTUAL GRADING
& UTILITIES PLAN

Date: 20 APRIL 2018
Revised:

Job No: 1253.17

Sheet:

C2

MATCH LINE - SEE SHEET C4.01

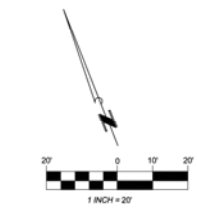


EXHIBIT - G

PLANTING LEGEND

SYMBOL BOTANICAL NAME COMMON NAME SIZE/(QUANTITY)

TREES

(A) or (L)	Quercus agrifolia or Quercus lobata	Coast Live Oak or Valley Oak	24" Box / (18)
(A)	Platanus chinensis	Chinese pistache	15 gal. / (18)
(A)	Lagerstromia Tonto	Grape myrtle	15 gal. / (8)

GROUND COVERS

SYMBOL	BOTANICAL NAME	COMMON NAME	QUAN./SIZE/SPACING
●	Rosa 'Meidland' - White	Meidland rose	11-1 gal. ● as shown
⊗	Baccharis p. 'Pigeon Pt.'	Coyote Bush	148-1 gal. ● 6'o.c.
⊕	Cotoneaster dammeri 'Coral B.'	Cotoneaster	77-1 gal. ● 6'o.c.
⊗	Pyracantha 'Santa Cruz'	Firethorn	200-1 gal. ● 6'o.c.
⊕	Rosmarinus o. 'Prostratus'	Rosemary	89-1 gal. ● 6'o.c.

Hydro-seeded mix per specifications on this sht. and on sht. L-4. Note: Depending on the time of year this project is installed, germination of this seed mix may require an "add-on" irrigation alternative.

Note: All plant counts indicated on this plan are only for convenience purposes. The landscape contractor ultimately will be responsible for installing this plan in its entirety. The actual installed numbers may vary.

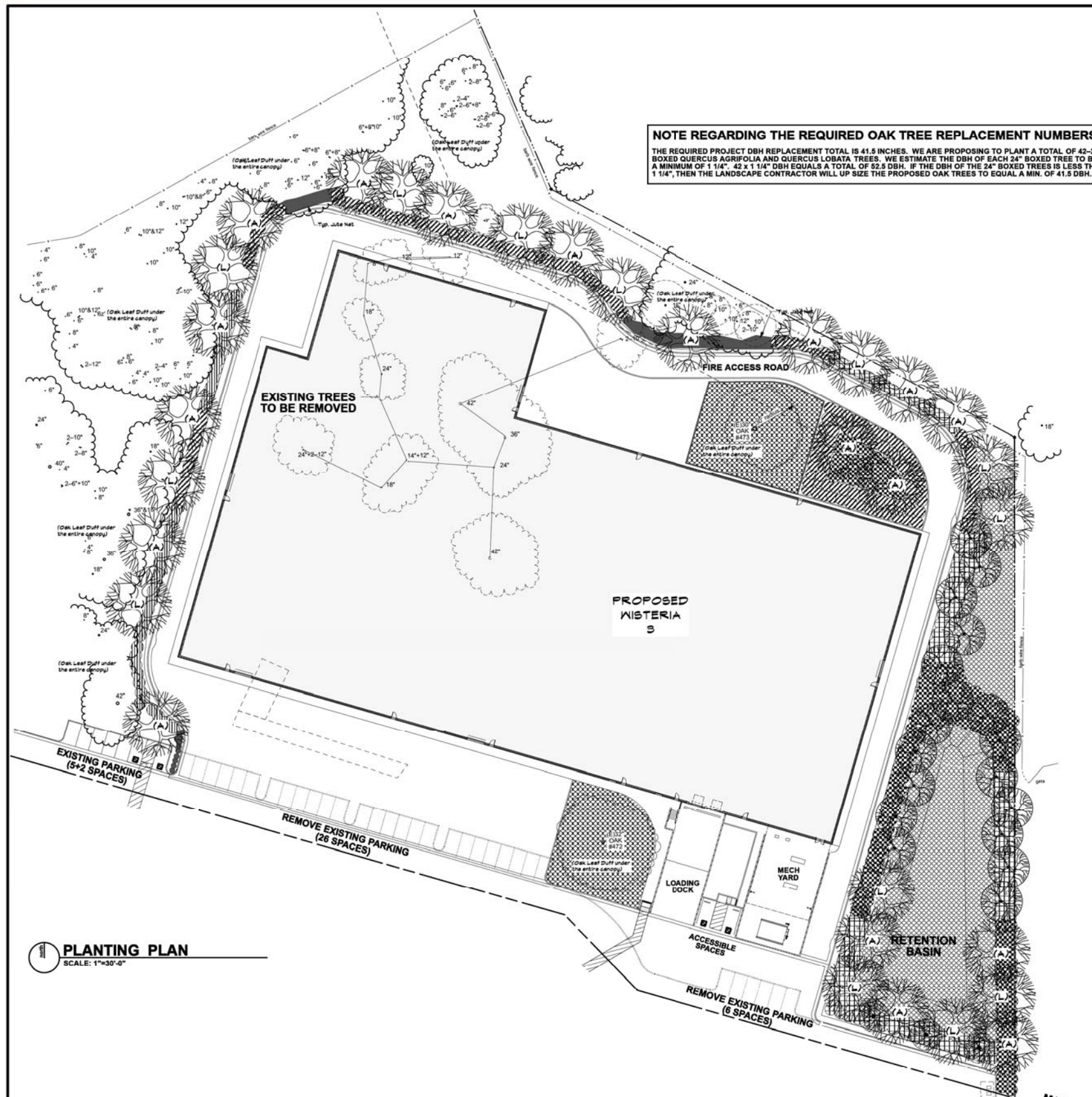
Misc. Hydro-seed components:
 Hydro-seeding Slurry Component/Application Rate
 Wood Fiber Mulch @ 2,000 Lbs./Acre
 Fertilizer (Biosol Mix Organic 7-2-5 @ 1,000 Lbs./Acre
 Seed Mix - as shown
 Stabilizing Emulsion @ 150 Lbs./Acre
 Soil Conditioner (Humate) @ 500 Lbs./Acre
 Mycorrhiza inoculum @ 60 Lbs./Acre

Hydro-seeded mix:

Species/Common Name	LBS/Acre
Festuca rubra 'Molate' / Molate native red fescue	14
Calandrinia ciliata / Red Maids	2
Deschampsia elongatum / Slender hairgrass	6
Deschampsia cespitosa / Tufted hairgrass	6
Eriochloa californica / Calif. Pippa	5
Koeleria macrantha / Junegrass	6
Lupine nanus / Sky Lupine	4
Melica californica / Calif. onlongrass	5
Total:	46

Note Regarding Plant Selection and Water Consumption:
 The planting plan conforms to CALGreen standards. The following addresses these standards:
 1. All planted areas, except areas planted with unmowed red fescue and areas under existing oak trees shall receive a 2" thick layer of the specified mulch.
 2. A watering schedule will be agreed upon by the landscape architect and the landscape contractor, prior to approval of completed landscape installation.
 3. Only "adaptive plants" have been specified on this project. A minimum of 15% of the plants specified are drought tolerant.
 4. "Hydrozoning" irrigation techniques have been incorporated into the final design.
 5. A major percentage of all anticipated irrigation water shall be supplied by on-site reclaimed water.

NOTE REGARDING THE REQUIRED OAK TREE REPLACEMENT NUMBERS
 THE REQUIRED PROJECT DBH REPLACEMENT TOTAL IS 41.5 INCHES. WE ARE PROPOSING TO PLANT A TOTAL OF 42-24" BOXED QUERCUS AGRIFOLIA AND QUERCUS LOBATA TREES. WE ESTIMATE THE DBH OF EACH 24" BOXED TREE TO BE A MINIMUM OF 1 1/4". 42 x 1 1/4" DBH EQUALS A TOTAL OF 52.5 DBH. IF THE DBH OF THE 24" BOXED TREES IS LESS THAN 1 1/4", THEN THE LANDSCAPE CONTRACTOR WILL UP SIZE THE PROPOSED OAK TREES TO EQUAL A MIN. OF 41.5 DBH.



PLANTING PLAN
 SCALE: 1"=30'-0"



Architecture, Planning & Graphics
 3552 Sacramento Dr., Suite 140
 San Jose, California 95131
 805/541-5041 voice

These drawings are instruments of service and are property of Steven P. Caminti, AIA & Associates, LLP. All design and other information on the drawings are for use on the specific project and shall not be used elsewhere without the expressed written permission of Steven P. Caminti, AIA & Associates, LLP.

Project:
JUSTIN WISTERIA 3
 TRACT 2778-2
 LOTS 9-14
 2265 WISTERIA LANE
 PASO ROBLES
 CA 93446

Owner:
JUSTIN VINEYARDS AND WINERY, LLC
 2265 WISTERIA LANE
 PASO ROBLES
 CA 93446
 (805) 238 - 6932

Consultant:
STEVEN P. CAMINTI
 No. 1941
 RENEWAL 2/20
 LICENSED LANDSCAPE ARCHITECT
 STATE OF CALIFORNIA

Sheet Contents:
PLANTING PLAN



Date: 1 FEB 18
 Revised: 20 APR 18 PLNG SUBMITTAL

Job No: 1724

STEVEN P. CAMINTI
 CAL. LIC. NO. 1941
 LANDSCAPE ARCHITECTURE ETCETERA
 1144 MILL ST., SAN LUIS OBISPO, CA. 95401
 805/544-6429
 EMAIL: stevenp@caminti.net

Sheet: **L-1**

EXHIBIT - H

PLANTING LEGEND

SYMBOL BOTANICAL NAME COMMON NAME SIZE/(QUANTITY)

TREES

(A) or (L)	(A) Quercus agrifolia or (L) Quercus lobata	Coast Live Oak or Valley Oak	24" Box / (7) 24" Box / (4)
------------	---	------------------------------	--------------------------------

	Pistacia chinensis	Chinese pistache	15 gal. / (17)
--	--------------------	------------------	----------------

	Lagerstromia 'Tonto'	Crape myrtle	15 gal. / (18)
--	----------------------	--------------	----------------

GROUND COVERS

			SIZE/SPACING
●	Rosa 'Meidiland' - White	Meidiland rose	200-1 gal.
▨	Baccharia p. 'Pigeon Pt.'	Coyote Bush	88-1 gal.
⊕	Cotoneaster dammeri 'Coral B.'	Cotoneaster	91-1 gal.
⊖	Lonicera j. 'Halliana'	Japanese Honeysuckle	78-1 gal.
⊙	Cotoneaster lacteus	Cotoneaster	74-1 gal.

Note: All plant counts indicated on this plan are only for convenience purposes. The landscape contractor ultimately will be responsible for installing this plan in its entirety. The actual installed numbers may vary.

Note Regarding Plant Selection and Water Consumption:

The planting plan conforms to CALGreen standards. The following addresses these standards:

1. All planted areas, except areas planted with unmowed red fescue and areas under existing oak trees shall receive a 2" thick layer of the specified mulch.
2. A watering schedule will be agreed upon by the landscape architect and the landscape contractor, prior to approval of completed landscape installation.
3. Only "adaptive plants" have been specified on this project. A minimum of 75% of the plants specified are drought tolerant.
4. "Hydrozoning" irrigation techniques have been incorporated into the final design.
5. A major percentage of all anticipated irrigation water shall be supplied by on-site reclaimed water.

NOTE REGARDING THE REQUIRED OAK TREE REPLACEMENT NUMBERS
 THE REQUIRED PROJECT DBH REPLACEMENT TOTAL IS 41.5 INCHES. WE ARE PROPOSING TO PLANT A TOTAL OF 42-24" BOXED QUERCUS AGRIFOLIA AND QUERCUS LOBATA TREES. WE ESTIMATE THE DBH OF EACH 24" BOXED TREE TO BE A MINIMUM OF 1 1/4". 42 x 1 1/4" DBH EQUALS A TOTAL OF 52.5 DBH. IF THE DBH OF THE 24" BOXED TREES IS LESS THAN 1 1/4", THEN THE LANDSCAPE CONTRACTOR WILL UP SIZE THE PROPOSED OAK TREES TO EQUAL A MIN. OF 41.5 DBH.



PLANTING PLAN
 SCALE: 1"=30'-0"

PULTIS
 Pultis & Associates, LLP

Architecture, Planning & Graphics
 3592 Sacramento Dr., Suite 140
 San Luis Obispo, California 93401
 805/541-5004 voice

These drawings are instruments of service and are property of Steven D. Pultis, AIA & Associates, LLP. All design and other information on the drawings are for use on the specific project and shall not be used otherwise without the expressed written permission of Steven D. Pultis, AIA & Associates, LLP.

Project:
JUSTIN WISTERIA 3

TRACT 277B-2
 LOTS 9-14
 2295 WISTERIA LANE
 PASO ROBLES
 CA 93446

Owner:
JUSTIN VINEYARDS AND WINERY, LLC

2265 WISTERIA LANE
 PASO ROBLES
 CA 93446
 (805) 238 - 6932

Consultant:

Sheet Contents:
Planting Plan



Date: 1 FEB 18
 Revised: 20 APR 18 PLNG SUBMITTAL

Job No: 1724

Sheet: **L-2**

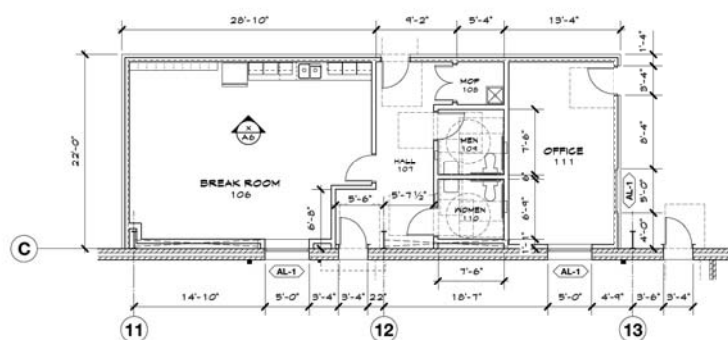
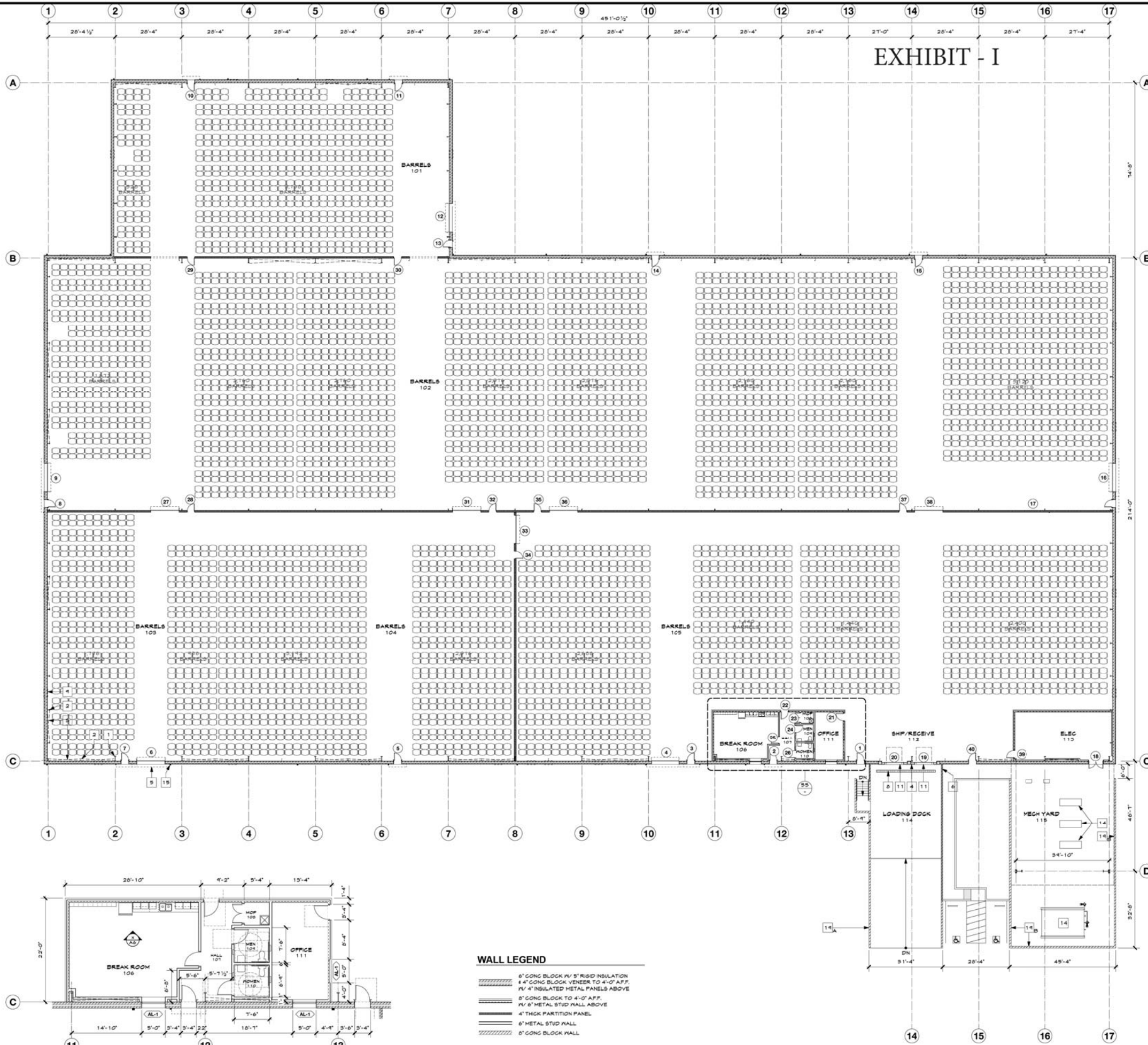
STEVEN P. CAMINITI
 CAL. LIC. NO. 1941
 LANDSCAPE ARCHITECTURE, ETCETERA
 1144 MILL ST., SAN LUIS OBISPO, CA. 93401
 805/544-6429
 EMAIL: stevenpc@charter.net

FLOOR PLAN GENERAL NOTES

- It is the responsibility of the General Contractor to verify all existing conditions prior to construction. Any discrepancies shall be brought to the immediate attention of the Architect.
- Contractor shall provide and maintain portable 2A 10BC fire extinguishers on site during construction.
- Interior insulated walls shall be Kingspan 500HR Series Panels, 4" thick. For exterior insulated metal panel walls, refer to exterior elevations, sheet A4-1.

FLOOR PLAN REFERENCE NOTES

- STEEL RIGID FRAME COLUMN, REFER TO STRUCT AND METAL BLDG DRAWINGS
- STEEL BUILDING SECONDARY COLUMN, REFER TO METAL BLDG DWGS
- X-BRACING
- CMU WALL AT LOADING DOCK OPENINGS
- LINE OF FINISH ABOVE
- 42" HIGH GUARDRAIL
- CABINETRY, REFER TO CABINET ELEVATIONS ON SHEET A5.3
- TRENCH DRAIN OR AREA DRAIN, REFER TO STRUCTURAL AND PLUMBING DRAWINGS
- 40"x32" LOUVERED INTAKE GRILL, REFER TO MECH DRAWINGS
- HOP SINK
- DOCK LEVELER
- SIGNAGE, REFER TO DETAIL 54/A2.1
A. "EXIT"
B. "EXIT ROUTE"
C. INTERNATIONAL SYMBOL OF ACCESSIBILITY
- PORTABLE 2A 10BC FIRE EXTINGUISHER, MOUNT @ 48" TO CENTERLINE OF VALVE.
A. SURFACE MOUNT
B. FULLY-RECESSED CABINET (LARSEN 2401-R1; VERTICAL DUO, WHITE ENAMEL, IV LOCK)
- MECHANICAL EQUIP - REFER TO MECHANICAL DRAWINGS
- DOWNSPOUT, REFER TO CIVIL DWGS FOR CONNECTION
- ELEC EQUIPMENT, REFER TO ELEC DWGS
- FIRE RISER, REFER TO PLUMBING DWGS
- CMU SCREEN WALL
A. 42" AFF.
B. 10'-0" AFF.



WALL LEGEND

- 6" CONG BLOCK IV 5' RIGID INSULATION
- 4" CONG BLOCK VENEER TO 4'-0" AFF. IV 4" INSULATED METAL PANELS ABOVE
- 5" CONG BLOCK TO 4'-0" AFF. IV 6" METAL STUD WALL ABOVE
- 4" THICK PARTITION PANEL
- 6" METAL STUD WALL
- 8" CONG BLOCK WALL

55 ENLARGED FLOOR PLAN
1/4" = 1' - 0"

FLOOR PLAN
1/16" = 1' - 0"

EXHIBIT - I



Architecture, Planning & Graphics
3592 Sacramento Dr., Suite 140
San Luis Obispo, California 93401
805.541.5604 voice

These drawings are instruments of service and are property of Steven D. Pults, AIA & Associates, LLP. All design and other information on the drawings are for use on the specified project and shall not be used elsewhere without the expressed written permission of Steven D. Pults, AIA & Associates, LLP.

Project:

JUSTIN WISTERIA 3

TRACT 2778-2
LOT 6 9-14
2295 WISTERIA LANE
PASO ROBLES
CA 93446

Owner:
JUSTIN VINEYARDS AND WINERY, LLC

2265 WISTERIA LANE
PASO ROBLES
CA 93446
(805) 238 - 6932

Consultant:

Sheet Contents:
FLOOR PLAN



Date: 25 AUG 2011
Revised: 7 FEB 10 PLNG SUBMITTAL
20 APR 10 PLNG RESUBMITTAL

Job No: 1724

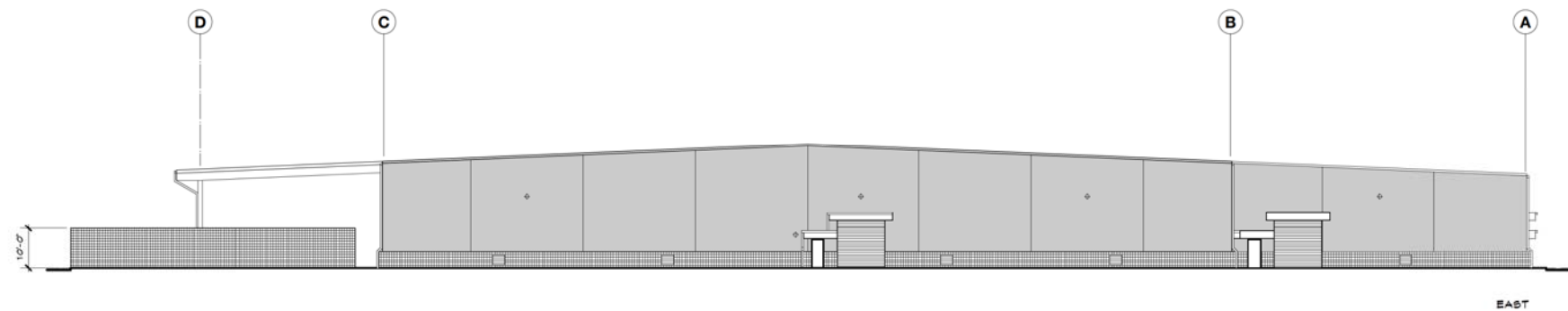
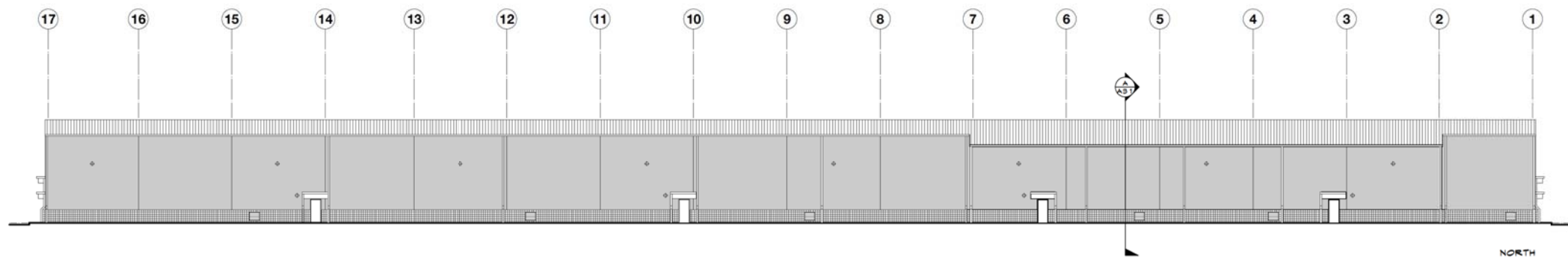
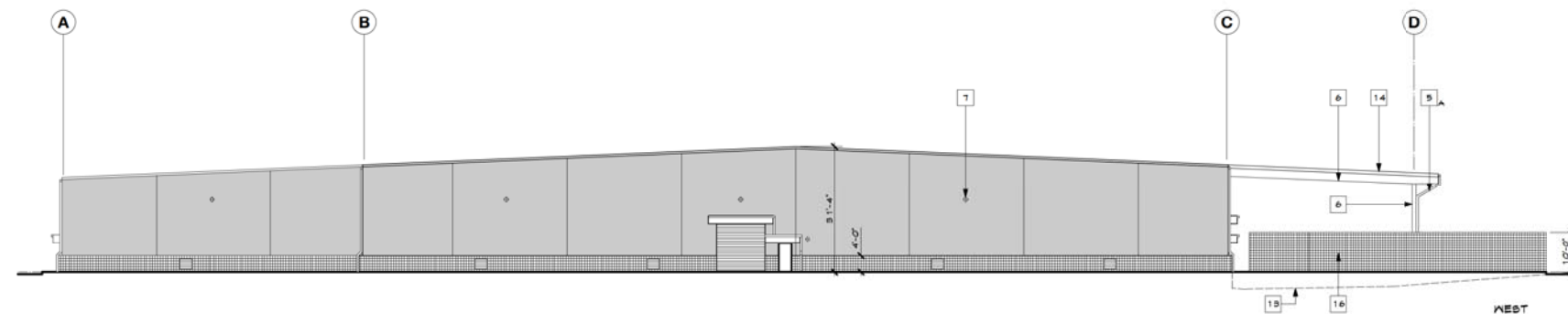
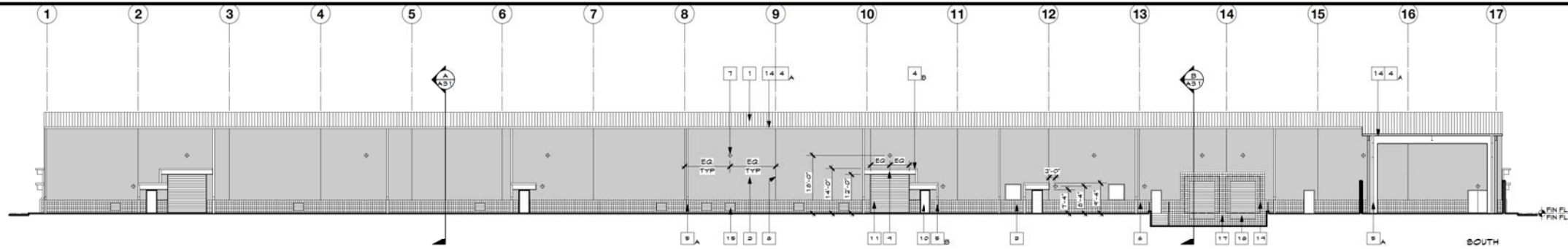
Sheet: **A - 1**

ELEVATION GENERAL NOTES

1. Insulated metal wall panels shall be Kingspan 400 Series "V-Wave" Panels 22 gauge exterior/26 gauge interior, galv "S-10" w/ 4" thick R-26.4 core, ribs running horizontally, anchorage per manufacturer. Wall panel design is based on a 3'4 3/8" wall panel module.
2. Metal roof panels shall be Kingspan KingZip Insulated Standing Beam Panels 22 gauge exterior/26 gauge interior, galv "S-10" w/ 6" thick R-19.2 core. Roof panel design is based on a 4'-0" wide panel module.

ELEVATION REFERENCE NOTES

1. KINGSPAN KINGZIP METAL ROOFING, COLOR: KINGSPAN 'REGAL WHITE'
2. KINGSPAN 400 V-WAVE PANELS, COLOR: KINGSPAN 'SILVER SMITH'
3. 4" HIGH GROUND FACE CONCRETE BLOCK MAINSCOT, BURNISHED & SEALED AIR-VOL BLOCK #80B40T6 - ONE SIDE VERTICAL SCORE IV/ PROFESSIONAL SUPER 1 COAT SEALER
4. GUTTER, COLOR:
 - A. KYNAR 'REGAL WHITE' (OR EQUAL)
 - B. KYNAR 'BLACK' (OR EQUAL)
5. DOWNSPOUT, COLOR:
 - A. KYNAR 'REGAL WHITE' (OR EQUAL)
 - B. KYNAR 'BLACK' (OR EQUAL)
6. EXPOSED STRUCTURAL FRAME, KYNAR 'BLACK'
7. WALL LIGHT, REFER TO LIGHTING FLOOR PLANS
8. PANEL JOINT COVER EXTRUSION TRIM, KINGSPAN 'BLACK'
9. METAL GANOFY, COLOR: KYNAR 'EBONY BLACK'
10. MAN DOOR, PER PLAN - REFER TO DOOR SCHEDULE COLOR: KYNAR 'EBONY BLACK'
11. ROLL-UP DOOR, PER PLAN - REFER TO DOOR SCHEDULE COLOR: PRATT & LAMBERT 'CAPE GOD GRAY'
12. NOT USED
13. LOADING DOCK RAMP, SHOWN DASHED
14. METAL FASCIA, COLOR: KYNAR 'REGAL WHITE'
15. EXHAUST FAN OR LOUVER COLOR: PRATT & LAMBERT 'CAPE GOD GRAY'
16. 10" HIGH GROUND FACE CONCRETE BLOCK SCREEN WALL, BURNISHED AIR-VOL BLOCK #80B40T6 IV/ VERTICAL SCORE IV/ PROFESSIONAL SUPER 1 COAT SEALER
17. CONCRETE BLOCK LOADING DOCK WALL SURROUND
18. DOCK LEVELER
19. DOCK SEALS



EXTERIOR ELEVATION
1/16" = 1' - 0"

EXHIBIT - J



Architecture, Planning & Graphics
3592 Sacramento Dr., Suite 140
San Luis Obispo, California 93401
805.941.5604 voice

These drawings are instruments of service and are property of Steven D. Pulits, AIA & Associates, LLP. All design and other information on the drawings are for use on the specified project and shall not be used otherwise without the expressed written permission of Steven D. Pulits, AIA & Associates, LLP.

Project:

JUSTIN WISTERIA 3

TRACT 2778-2
LOTS 9-14

2295 WISTERIA LANE
PASO ROBLES
CA 93446

Owner:

JUSTIN VINEYARDS AND WINERY, LLC

2265 WISTERIA LANE
PASO ROBLES
CA 93446

(805) 238 - 6932

Consultant:

Sheet Contents:

EXTERIOR ELEVATIONS



Date:

Revised:
7 FEB 18 PLNG SUBMITTAL
20 APR 18 PLNG RESUBMITTAL

Job No:

1724

Sheet:

A - 2

ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM
CITY OF PASO ROBLES
 Public Review Period (July 16, 2018 through August 14, 2018)

- 1. **PROJECT TITLE:** **Justin Winery Building No. 3**

- Concurrent Entitlements:** **Planned Development PD 18-001, Oak Tree Removal OTR 18-14**

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

Contact: Darren Nash
Phone: (805) 237-3970
Email: dnash@prcity.com

- 3. **PROJECT LOCATION:** 2265 Wisteria Ln. (See Vicinity Map, Attach. 1)

- 4. **PROJECT PROPONENT:** **Oasis Associates, Inc**

Contact Person:

Phone: **C.M. Florence, AICP Agent**
Email: **(805) 541- 4509**
 cmf@oasisassoc.com

- 5. **GENERAL PLAN DESIGNATION:** **BP (Business Park)**

- 6. **ZONING:** **PM (Planned Industrial)**

- 7. **PROJECT DESCRIPTION:** The proposed project consists of adding a 109,4743± square foot (SF) wine storage building consisting of 103,970 SF of barrel storage, a 1205 SF office, 1,558 SF of shipping and receiving, and a 908 SF electrical room. There is also a covered mechanical area of 2,256 SF located adjacent to the loading dock on the southeast corner of the building. This new building complements the existing winery facility that is located within an existing Golden Hill Industrial/Business Park. The proposed project is the type of development that was anticipated with the development of the Golden Hills Business Park. See Attachment 2 Site Plan and Attachment 3, Grading Plan, and Attachment 4. Architectural Elevations.

- 8. **ENVIRONMENTAL SETTING:** The 20.26 net acre site is a merger of lots 9-14 of Tract 2778-2. The site is relatively flat, vegetated with annual grasses on mostly level terrain. A mature oak woodland is located within the grass land habitat area to the north and northwest of the proposed building. A few scattered oaks, a total of thirteen (13) trees, are located within the building footprint and site grading area and are proposed to be removed. The balance of the oaks will be preserved with the development of this project. Stormwater will be directed into a

Agenda Item 3

new retention basin southeast of the new building and new post construction stormwater methodologies employed.

A Mitigated Negative Declaration was approved for Tract 2778, and also for the development of the two existing Justin Winery buildings (PD 11-005). The mitigation measures identified in the previous environmental reviews consisted of Biological Impacts (Kit Fox), Traffic Impacts, and Air Quality impacts. Prior to the submittal of this project the developer paid the Kit Fox mitigation fees for Tract 2778. As indicated in this report, traffic impacts will be addressed by paying the required traffic impact fees at the time of occupancy of the project. Justin Vineyards has already worked with the APCD to address mitigation related to Operational Impacts, by purchasing off set credits. Only construction level mitigation was indicated necessary related to Air Quality impacts.

9. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED): None.

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.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> 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: Darcy Delgado, Assistant Planner Date: 7/3/18
 for Darren Nash

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. “Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project site is not located within a scenic vista.				
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The site is not considered a scenic resource and is not located along a state scenic highway, and there are no historic buildings located on this site.				
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The proposed development would be consistent with the existing type of buildings and display as currently developed. The project would not degrade the existing visual character or quality of the site or surroundings.				
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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: Any new exterior lighting will be required to be shielded so that it does not produce off-site spill glare.				

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

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project is not located on agriculturally zoned land and there are no agricultural activities taking place on the site.				
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: See discussion section for Section II.a.				

Agenda Item 3

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>c. Conflict with existing zoning for, or cause rezoning of, forest, land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 5114(g))?</p> <p>Discussion: The project is not located on agriculturally zoned land and there are no agricultural activities taking place on the site.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d. Result in the loss of forest land or conversion of forest land to non-forest use?</p> <p>Discussion: The project is not located on land zoned for forest purposes.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p> <p>Discussion: This project would not result in the conversion of farmland or forest land.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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:

<p>a. Conflict with or obstruct implementation of the applicable air quality plan? (Source: 11)</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	-------------------------------------	--------------------------	--------------------------

Discussion: The San Luis Obispo County area is a non-attainment area for the State standards for ozone and suspended particulate matter. The SLO County Air Pollution Control District (APCD) administers a permit system to ensure that stationary sources do not collectively create emissions which would cause local and state standards to be exceeded. The potential for future project development to create adverse air quality impacts falls generally into two categories: Short term and Long term impacts.

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

There will be short term impacts associated with grading for the proposed construction, standard conditions required by the City as well as the APCD will be implemented. Additionally, since the disturbed area of the project is over 4-acres, APCD outlines additional dust control mitigations be applied to the project during construction.

Agenda Item 3

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

From a traffic-related emissions perspective and based on the wine storage/wine production use being a low traffic generator and based on the total of the three buildings (including the two existing and one proposed) being approximately 207,863 square feet, when reviewing the project with the APCD CEQA Handbook, the project would produce less than the 25 lbs/day of ROG+NO_x and there for be considered less than significant and no mitigation is required for operational or long-term impacts based on light-industrial or manufacturing type of land use.

From a winery emissions perspective, reactive organic gases (ROG) were calculated for the proposed winery warehouse. Since the Air Pollution Control District views emissions in a comprehensive manner, the emissions were also calculated for the existing facilities. If the existing facilities were producing emissions at the 25-ton permit limit and the proposed facility, based upon the anticipated build-out emissions, produced 20.1 tons, all facilities would potentially produce 44.6 tons. (See Technical Memorandum, RCH Group, July 5, 2016, Attachment 6)

Based upon these calculations and in anticipation of the proposed project, Justin Vineyards & Winery LLC purchased 20 tons of SLOAPCD VOC emission reduction credits (ERCs). [Certificate No. 772-Z1] which would allow for full build-out of the facilities.

In summary, the operational impacts of the project have already been mitigated with the purchase credits described above. This projects impacts on short-term air quality will be less than significant with Mitigation incorporated, See AQ 1 – AQ 4outlined in the Mitigation Monitoring and Reporting, Attachment 5

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See Section III.a

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

Discussion: See Section III.a

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d. Expose sensitive receptors to substantial pollutant concentrations? (Source: 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Besides the short-term impacts from the actual grading, there will not be a significant impact to sensitive receptors.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e. Create objectionable odors affecting a substantial number of people? (Source: 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project will not create objectionable odors.

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

IV. BIOLOGICAL RESOURCES: Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion (a-d): The Justin 3 Bldg. is proposed to be constructed on an approximate 5-acre portion of the larger 20.26-acre Justin Winery site. The 20.26 Justin Vineyards site has been evaluated for biological resources on multiple occasions, what follows is a chronology of the biological analysis:

- In 2006 by Althouse and Meade, where they prepared a Biological Report in preparation of the Mitigated Negative Declaration associated with Tract 2778 (Res. 06-027). The Justin Winery site is a result of the merger of Lots 9-18 of Tract 2778. The MND indicated that 23.34 acres of Kit Fox habitat would be impacted by the development of the industrial subdivision and required the purchasing 70.02 credits from a local conservation bank, along with other on-site protection measures during construction. See Resolution 06-027, Attachment 7
- In August 2011, Althouse and Meade prepared a Biological Analysis in conjunction with the reconfiguration of Lots within Tract 2778, which created the current 20.26-acre Justin Winery site. The 2011 letter sited the original mitigation measures outlined in Res. 06-027, this allowed for the construction of Building 2 on the project site. See Althouse and Mead Letter, Attachment 8
- Althouse and Meade 2014 Study. The subject area of Building No. 3 was further evaluated as part of the biological study to the neighboring 201-acre property (Erskine-Justin Wisteria Ln. GPA). More specific nesting bird measures were included in that Study. See 2014 Study, Attachment 9.

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

- Sage Industries, Inc. (SII) Addendum #1: SII provided a Biological Analysis to determine if the proposed Justin Building 3 and the mitigation measures outlined in Resolution 06-027 would still apply to the new project, and whether new mitigations may be necessary. See Attachment 10.
- SII – Addendum #2: SII provided more specific information related to Nesting Bird Surveys in relation to the request for this project to remove oak trees. The analysis concluded that Mitigation Measures BR-11, BR13 and BR 14 shall be implemented to avoid impacts to nesting birds. See Attachment 11.
- SIII- Addendum #3: SII provided information verifying that the area of the site where Building 3 is being proposed was included in the 23.34 acres originally studied with Tract 2887. The letter confirmed that mitigation measure BR 17c related to mitigation payments was completed on August 15, 2011 by Tom Erskine, the original developer of Tract 2778. \$175,050 in mitigation fees were paid to the Palo Prieto Conservation Bank. The mitigation satisfied the requirement for all parcels within Tract 2778-2 (23.34 acres). The remaining Kit Fox mitigations outlined in Res. 06-027 (pre-construction survey and contractor education) still remains in effect and will be required to be satisfied by Justin Bldg. 3 project prior to the issuance of a grading permit. See Attachment 12.

Based on mitigation measures applied to Kit Fox mitigation, Nesting Bird mitigation, as well as the other mitigations related to habitat and migratory wildlife, this projects impacts on Biological Resources will be less than significant with mitigation incorporated. The specific mitigations are outlined in the Mitigation Monitoring and Reporting Table, Attachment 5 to this Initial Study.

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

Discussion: The disturbed area of the Justin Building 3 is approximately 5-acres. While there are many oak trees on the 20-acre Justin site, the Arborist Report for the project indicates that 17 trees are located within the proposed Building 3 disturbed area and therefore will be impacted by this project. See Arborist Report, Attachment 7. The Report indicates that of the 17 trees, Justin Winery is requesting that 13 trees be removed the building. Of the 13 trees the Arborist Report indicates that 5 trees are dead (Trees: 476, 478,479,481,482).The other 8 trees are either in some type of decline or have had past limb failures.

The City has an Oak Tree Protection Ordinance that provides a process for requesting the removal of oak trees in association with a development project. The process requires that the City Council make a determination that the oak trees warrant removal based on specific findings.

PD 18-001 the development plan for the project is dependent on the Council approving the oak trees be removed. If the Council does not approve the removals, the project will need to be redesigned to protect the trees required to be saved.

The total trunk diameter proposed for removal (not including dead trees) is 166-inches. The Oak Ordinance requires 25-percent of the 166 inches being removed (41.5-inches) be planted as mitigation trees. The 41.5-inches would equate to the requirement to plant 28 1.5-inch diameter replacement oak trees on site.

Based on the Oak Preservation Ordinance requiring 28 oak trees to be planted as mitigation for the 13 trees proposed to be removed, impacts on tree preservation will be less than significant with mitigation incorporated. See discussion in Section IV.d of this CEQA Checklist that describes impacts from tree removals on nesting birds.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: There are no Habitat Conservation Plans in the City of Paso Robles.

V. CULTURAL RESOURCES: Would the project:

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

Discussion (a-d):

An Archeological Survey was conducted in 1996, by Clay Singer, in relation to a 226 acre site that included the land within Tract 2778 and Justin Building No. 3. The Study indicated that no prehistoric resources of any kind were identified and the Study concluded that development of the project at that time (Golf Course) should have no impact on known or cultural resources.

In October 2013, a Phase I Archeological Survey was conducted over the neighboring 201-acre study area (Erskine-Justin GPA site). The Survey identified three previously undocumented prehistoric archaeological sites and a single prehistoric isolate in the project area. The Survey indicates that the archaeological sites are low-density lithic debitage and tool scatters in the southeastern portion of the project area. The archaeological isolate, a leaf shaped projectile point fragment, is in the same vicinity of the prehistoric sites. The results of the study indicate archaeological cultural resources that may meet the CEQA definition of historical resources and/or unique archaeological resources are on the property. Further archeological surveys are required for the Erskine-Justin GPA site.

Since the Justin Building No. 3 site is in close proximity to the Erskine-Justin site, even though there are no known cultural resources as determined by the 1996 Survey, a mitigation measure has been added to this project requesting that a Phase I Archeological Survey be conducted prior to the issuance of site disturbance.

Based on the 1996 Survey indicating that there are no know impacts on the project site, based on newer information in the area, with the requirement for the further study, this projects impacts on Cultural Resources would be less than significant with mitigation added.

AB 52 – The Initial Study will be circulated to the 6 tribes that have requested consultation. As mentioned above, conditions will be placed on this project requiring further study, prior to ground disturbance.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS: Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Discussion: The potential for and mitigation of impacts that may result from fault rupture in the project area are identified and addressed in the General Plan EIR, pg. 4.5-8. There are two known fault zones on either side of the Salinas Rivers valley. The Rinconada Fault system runs on the west side of the valley, and grazes the City on its western boundary. The San Andreas Fault is on the east side of the valley and is situated about 30 miles east of Paso Robles. The City of Paso Robles recognizes these geologic influences in the application of the Uniform Building Code to all new development within the City. Review of available information and examinations indicate that neither of these faults is active with respect to ground rupture in Paso Robles. Soils and geotechnical reports and structural engineering in accordance with local seismic influences would be applied in conjunction with any new development proposal. Based on standard conditions of approval, the potential for fault rupture and exposure of persons or property to seismic hazards is not considered significant. There are no Alquist-Priolo Earthquake Fault Zones within City limits.</i>				
ii. Strong seismic ground shaking? (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Discussion: The proposed project will be constructed to current 2016 CBC codes. The General Plan EIR identified impacts resulting from ground shaking as less than significant and provided mitigation measures that will be incorporated into the design of this project including adequate structural design and not constructing over active or potentially active faults.</i>				
iii. Seismic-related ground failure, including liquefaction? (Sources: 1, 2 & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Discussion: Per the General Plan EIR, the project site is located in an area with soil conditions that have a potential for liquefaction or other type of ground failure due to seismic events and soil conditions. To implement the EIR's mitigation measures to reduce this potential impact, the City has a standard condition to require submittal of soils and geotechnical reports, which include site-specific analysis of liquefaction potential for all building permits for new construction, and incorporation of the recommendations of said reports into the design of the project</i>				
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Discussion: See response to item a.i-ii above.</i>				

Agenda Item 3

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Result in substantial soil erosion or the loss of topsoil? (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Discussion: Per the General Plan EIR the soil condition is not erosive or otherwise unstable. As such, no significant impacts are anticipated. A geotechnical/ soils analysis will be required prior to issuance of building permits that will evaluate the site-specific soil stability and suitability of grading and retaining walls proposed. This study will determine the necessary grading techniques that will ensure that potential impacts due to soil stability will not occur. A drainage and erosion control plan, plus a Stormwater Pollution Prevention Plan shall be required to be approved by the City Engineer and the Regional Water Quality Control Board prior to commencement of site grading.</i>				
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Discussion: See response to item a.iii, above.</i>				
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Discussion: See response to item a.iii, above.</i>				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Discussion: The building will be connected to the City's sanitary sewer system, therefore there is no impact.</i>				

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gasses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion (a-b):

The use of the building includes wine storage, which is a low traffic generator, and has minimal number of full and part time employees. The new warehouse building is being located adjacent to Justin's existing facility *reducing the distance for transportation of products and materials*. A conveyor system is installed between the existing Building 1 and 2 which is used to transport product and materials between the two buildings.

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

With the review of the two previous buildings, City Staff along with APCD Staff have made a good-faith effort to quantify the projects GHG impacts from both operational and construction phase. APCD has indicated that the project will create approximately 394 metric tons of CO2 equivalence during the construction phase, and 3,613 metric tons of operational emissions. APCD recommended that measures from Section 3.7.2 of the 2009 Handbook be applied to the project to help mitigate GHG emissions. The following measures from Table 3-5 have been included in the initial project design:

- Significant amount of shade tree planting;
- High efficiency exterior siding, roofing and insulation panels, an increase of Title 24 by 20 percent;
- Building orientation towards street, with parking in rear (both the building and the parking will be located behind building 1 and 2);
- Employee locker room and shower to support alternative transportation (Exists within Justin Building 2);
- Reduced in the number of on-site paved parking spaces;
- Break room with refrigeration, eating and on-site vending (exists in Justin Building 2);

With the addition of the wine storage building, based on the low amount of employees as well as low trip generation, along with the items listed above, it is anticipated that the project impacts related to GHG emissions will be less than significant.

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| See discussion below. | | | | |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| See discussion below. | | | | |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| See discussion below. | | | | |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Agenda Item 3

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

Discussion (a-d): the project will include the transport of wine grapes, processed wine, and the byproduct of the wine (pumice). The wine production process does not utilize or transport hazardous materials in the wine making process. The site is vacant and not included on a hazardous materials site list. The development and operation of the winery facility would not create a hazard, or use/produce hazardous materials.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>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?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The location of this project is within Safety Zones 3 and 4 of the Airport Land Use Plan, where the Plan indicates that warehousing is a permitted use in those zones. There are limitations on number of people per acre (40 people per gross acre and 120 people per single acre), however based on the area of the site where Building 3 is proposed to be built being approximately 5-acres, and since the warehouse will typically have less than four employees, the project will comply with ALUP, therefore impacts will be less than significant.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>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?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project is not in close proximity to a private air strip.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: This project has been reviewed by the City's Emergency Service Department and has not been determined to have an impact on any Emergency Plan.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>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?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion (a-h):

The proposed wine storage building will be constructed in a manner that will comply with the necessary Uniform Fire Codes, including the requirement to install fire sprinkler systems. Additionally, the project will be required to maintain a clear area around the building and to the surrounding oak woodland areas. Meeting the Building Codes, Fire Codes and Emergency Services requirements for grassland maintenance, this project impacts on wildland fires is less than significant.

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

IX. HYDROLOGY AND WATER QUALITY: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: A Storm Water Quality Management Plan was prepared by Wallace Group (February 2018) for this project (On file with the Community Development Dept.). The plan identifies specific post-construction Best Management Practices that have been incorporated into the project in compliance with State Water Board requirements to meet water quality standards and discharge requirements. The project will apply conditions of approval to comply with these standards.

The proposed project is designed to retain stormwater on-site through installation of various low-impact development (LID) features. The project has been designed to reduce impervious surfaces, preserve existing vegetation, and promote groundwater recharge by employing bioretention through implementation of these measures. Thus, water quality standards will be maintained and discharge requirements will be in compliance with State and local regulations. Therefore, impacts to water quality and discharge will be less than significant.

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

The use of this building is for wine barrel storage. There is no production proposed with this building, therefore the addition of Building 3 to the Justin Vineyards site will have a less than significant impact on groundwater supplies.

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

See discussion below.

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

See discussion below.

Agenda Item 3

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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) See discussion below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality? See discussion below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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? See discussion below.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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? See discussion below.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by mudflow? See discussion below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. Conflict with any Best Management Practices found within the City's Storm Water Management Plan? See discussion below.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. Substantially decrease or degrade watershed storage of runoff, wetlands, riparian areas, aquatic habitat, or associated buffer zones?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion (c-l): The proposed site is on a slight rise such that storm water will be routed to the perimeter of the area of disturbance through a series of storm drains and catch basins that will be diverted to an initial detention basin and retention basin. The retention basin is temporary until such time that Erskine Way is constructed and the future storm drain connection is made to Erskine Way. The proposed site has adequate space to construct Low Impact Design features and detention basins. This will provide stormwater storage and also provide stormwater treatment for the design storms. Additionally, the site is not located within a flood hazard area and the subject buildings will be utilizing City water and sewer systems. The projects impacts related to hydrological and water quality issues will be less than significant since the project will be required to comply with the City's standards related to site drainage, storm water run-off, water quality and water supply. See "Preliminary Stormwater Control Plan, Justin Vineyards and Winery Phase 3: Building 4," Wallace Group, February 2018 (Attachment 14).

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

X. LAND USE AND PLANNING: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project consists of constructing a wine storage building on a site that currently operates a wine production facility, within an existing industrial/business park, it will not divide an established community.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Wine processing is a permitted use in the Planned Industrial (PM) zoning and Business Park (BP) land use designation of the Zoning Code and General Plan. Therefore, there will not be impacts to land use plans or policies.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c. Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There are no habitat conservation plans or natural community conservation plans established in this area of the City. Therefore, there is 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: The construction phase of the project will be required to comply with the City's noise level requirements. The noise associated with the on-going operations of the industrial use within an industrial park is anticipated to 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Agenda Item 3

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-c):

The project will not create induce population growth, displace housing or people.

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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Police protection? (Sources: 1,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other public facilities? (Sources: 1,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-e):

The project will be located at an existing winery facility within an existing industrial/business park. The addition of the building will not create a significant impact to public services.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a&b):

The project will not impact recreational facilities.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC: Would the project:				
a. Conflict with an applicable plan, ordinance or policy establishing measures or effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Discussion (a,b): A traffic study was prepared for Tract 2778 and mitigation measures were required of the original subdivision to address traffic impacts. The mitigation required that projects within Tract 2778 is to pay their fair share for various interchange projects. Since Tract 2778 measures was approved, it has been standard practice that projects pay Traffic Impact Fees as noted on the AB 1600 project list. The list includes the projects that were outlined in this project along with all others within the industrial park that will be required to pay the traffic impact fees.</p> <p>The proposed project consists of adding a third building to the existing Justin Winery site. The site is an approximately 20 acre project which is a merger of Lots 9-14 of Tract 2778. Rather than having the possibility of six (6) separate buildings on six (6) parcels, as originally approved for Tract 2778, this project is proposed to be developed on one larger parcel. Therefore, the impacts from the larger project should not exceed what was originally anticipated with the six (6) separate lots.</p> <p>Based on the wine warehouse project being a low traffic generator that would not exceed thresholds of significance, and since the project is a permitted use in the BP/PM designated zoning areas, the City Engineer has indicated that the standard condition of paying traffic impact fees will adequately address any traffic impacts related to this project, since the fees will help fund the traffic improvements identified in the Parallel Routes Study. By paying fees towards the Parallel Routes project, this projects impacts on transportation and traffic will be less than significant.</p>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Discussion: this project does not have an aircraft component to it, therefore will not have impacts on air traffic patterns.</p>				

Agenda Item 3

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: Justin Building No. 3 will be added to the existing Justin Winery site which currently operates in the Golden Hill Industrial Park and takes access from Wisteria Lane. The addition of this project will not change the current driveway access on Wisteria Lane, therefore, there will be no impacts to the existing street or intersections.

e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: Justin Building No. 3 will be added to the existing Justin Winery site, which currently operates in the Golden Hill Industrial Park and takes access from Wisteria Lane. The site currently has two points of access and meets the Fire Code requirements for on-site circulation. The addition of this project will be required to maintain the access requirements required by the Fire Codes, therefore there will be no impact.

f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion: Justin Building No. 3 will be added to the existing Justin Winery site, which currently operates in the Golden Hill Industrial Park and takes access from Wisteria Lane. This warehouse project will not add a significant number of employees to the site. Wisteria Lane has been constructed with sidewalk on both sides and is wide enough to accommodate bike lanes. The necessary striping to add bike lanes on to Wisteria Lane is scheduled to take place with the Erskine Way project. The project can accommodate transit at some point when the transit route includes Wisteria Lane. This projects impacts on pedestrian, bicycle and transit is less than significant.

XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-g): The Justin 3 Building is for warehousing of wine barrels and case goods and not be used for the production of wine. Additionally, the warehouse use will have a low demand on water and waste water. All necessary storm water facilities will be provided with the construction of the Justin 3 project. Based on the building being for wine storage, there will not be a significant amount of solid waste produced by this project.

Additionally, the proposed warehouse use is permitted in the BP/PM designations for the Golden Hills Business Park, therefore this projects impacts on storm water facilities is less than significant, while there will be no additional impacts on the other listed utilities.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion: The proposed project consists of adding a 109,474 square foot wine storage building to the existing winery facility that is located within an existing Industrial/Business Park. The site is located within Tract 2778-2 which will be an extension of the existing Golden Hills Business Park. As noted within this environmental document a previous Mitigated Negative Declaration was prepared and identified impacts related to biological resources and traffic impacts. There are existing streets and utilities that currently serve the site and will provide access and utilities to the other parcels within Tract 2778-2. As indicated within the Initial Study, mitigation measures will be required that will address impacts related to biological and cultural impacts. The site is routinely maintained and mowed, so impact to fish, wildlife, of plant habitat is less than significant.

Agenda Item 3

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

- 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)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The proposed project consists of adding a 109,474 square foot wine storage building to the existing winery facility that is located within an existing Industrial/Business Park. The site is located within Tract 2778-2 which will be an extension of the existing Golden Hills Business Park. The proposed project is the type of development that was anticipated with the development of the Golden Hills Business Park. Therefore, adding a wine storage building on an existing winery site, will not have impacts that are individually limited, but cumulatively considerable.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The proposed project consists of adding a 109,474 square foot wine storage building to the existing winery facility that is located within an existing Industrial/Business Park. The site is located within Tract 2778-2 which will be an extension of the existing Golden Hills Business Park. The proposed project is the type of development that was anticipated with the development of the Golden Hills Business Park. Therefore, the project will not cause substantial adverse effects on human beings, either directly or indirectly, as incorporation of the mitigation measures will reduce any "potentially significant impacts" to "less than significant impact."

EARLIER ANALYSIS AND BACKGROUND MATERIALS.

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

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

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446
2	City of Paso Robles Zoning Code	Same as above
3	City of Paso Robles Environmental Impact Report for General Plan Update	Same as above
4	2005 Airport Land Use Plan	Same as above
5	City of Paso Robles Municipal Code	Same as above
6	City of Paso Robles Water Master Plan	Same as above
7	City of Paso Robles Urban Water Management Plan 2005	Same as above
8	City of Paso Robles Sewer Master Plan	Same as above
9	City of Paso Robles Housing Element	Same as above
10	City of Paso Robles Standard Conditions of Approval for New Development	Same as above
11	San Luis Obispo County Air Pollution Control District Guidelines for Impact Thresholds	APCD 3433 Roberto Court San Luis Obispo, CA 93401
12	San Luis Obispo County – Land Use Element	San Luis Obispo County Department of Planning County Government Center San Luis Obispo, CA 93408
13	USDA, Soils Conservation Service, Soil Survey of San Luis Obispo County, Paso Robles Area, 1983	Soil Conservation Offices Paso Robles, Ca 93446
14	Resolution 06-027, MND for Tract 2778	City of Paso Robles Community Development Department

Agenda Item 3

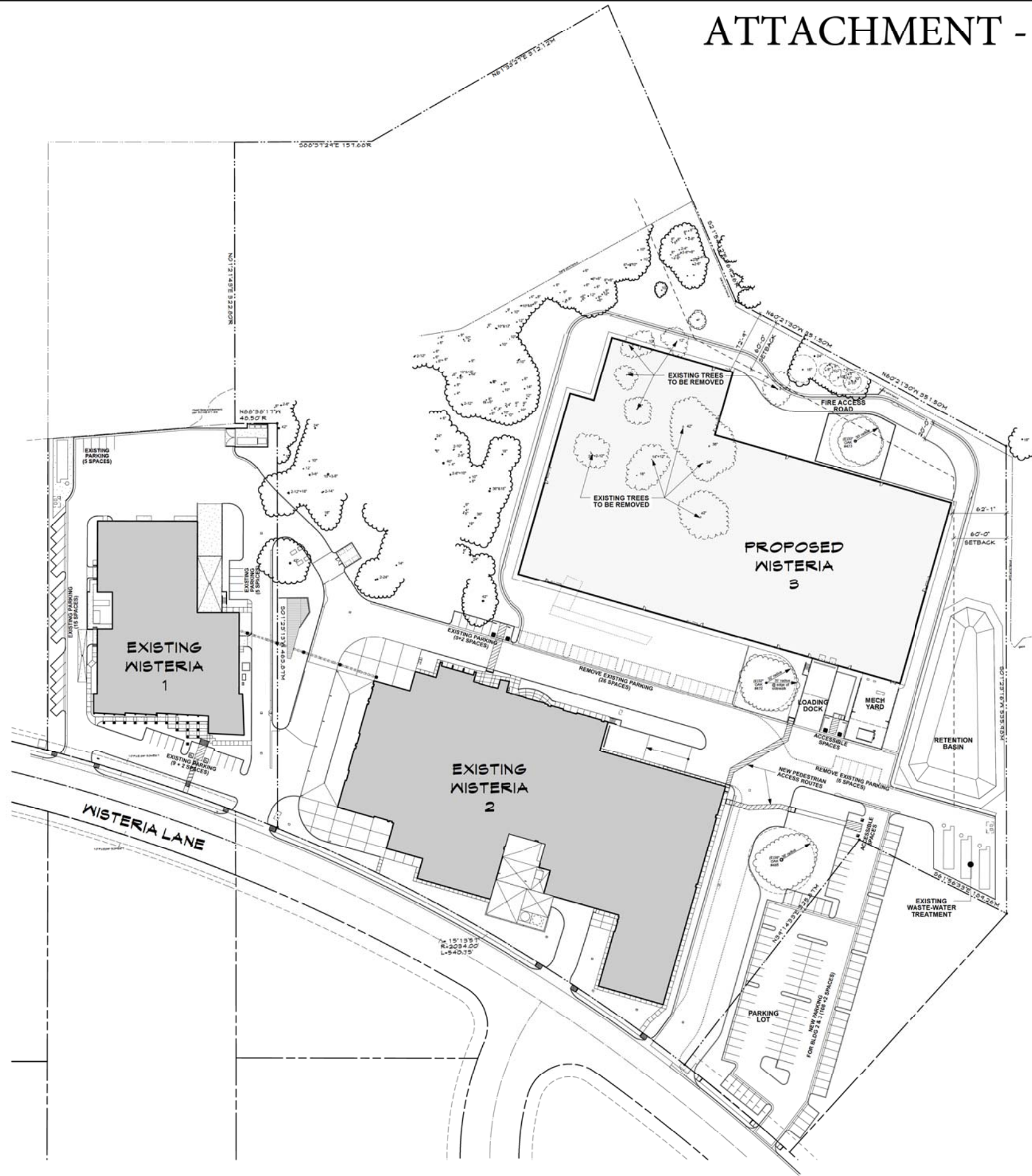
Attachments:

- 1. Vicinity Map**
- 2. Site Plan**
- 3. Grading Plan**
- 4. Architectural Elevations**
- 5. Mitigation Monitoring and Reporting Table**
- 6. Tech Memo – RCH Group (Air Quality Off sets)**
- 7. Res. 06-027**
- 8. Althouse & Meade 2011 Letter**
- 9. Althouse & Meade 2014/2016 Biological Report – Wisteria Ln. Project**
- 10. SII Addendum #1**
- 11. SII Addendum #2**
- 12. SII Addendum #3**
- 13. A&T Arborist Report – March 2018**

VICINITY MAP



ATTACHMENT - 2



OVERALL SITE PLAN
 1" = 60' - 0"



Architecture, Planning & Graphics
 3592 Sacramento Dr., Suite 140
 San Luis Obispo, California 93401
 805/541-5004 voice

These drawings are instruments of service and are property of Steven D. Pults, AIA & Associates, LLP. All design and other information on the drawings are for use on the specified project and shall not be used otherwise without the expressed written permission of Steven D. Pults, AIA & Associates, LLP.

Project:

JUSTIN WISTERIA 3

TRACT 2778-2
 LOTS 9-14
 2285 WISTERIA LANE
 PASO ROBLES
 CA 93446

Owner:
JUSTIN VINEYARDS AND WINERY, LLC

2265 WISTERIA LANE
 PASO ROBLES
 CA 93446
 (805) 238 - 6932

Consultant:

Sheet Contents:
OVERALL SITE PLAN

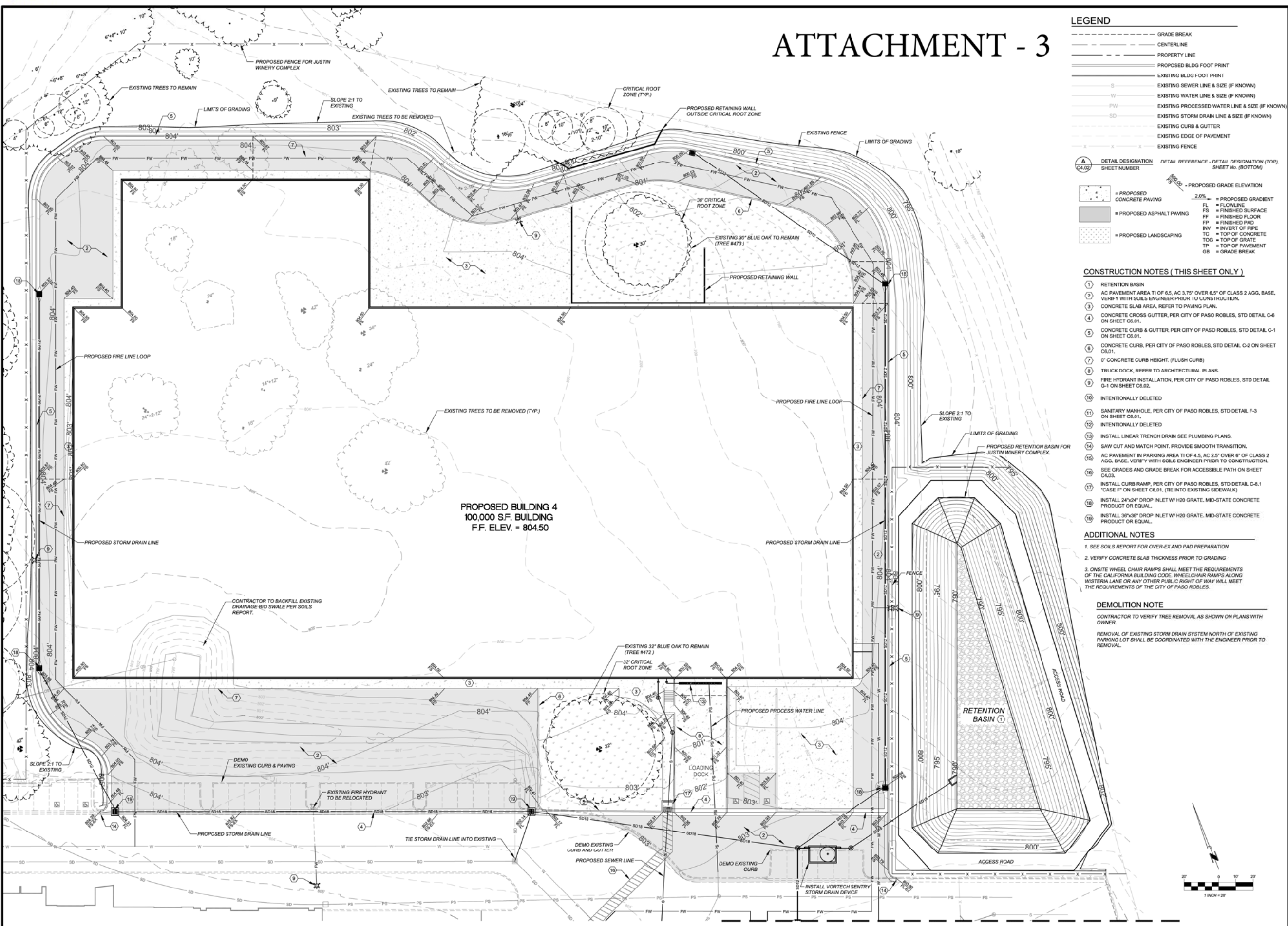


Date: 1 FEB 18
 Revised: 7 FEB 18 PLNG SUBMITTAL
 20 APR 18 PLNG RESUBMITTAL

Job No: 1724

Sheet:
AC-1

ATTACHMENT - 3



LEGEND

---	GRADE BREAK
---	CENTERLINE
---	PROPERTY LINE
---	PROPOSED BLDG FOOT PRINT
---	EXISTING BLDG FOOT PRINT
S	EXISTING SEWER LINE & SIZE (IF KNOWN)
W	EXISTING WATER LINE & SIZE (IF KNOWN)
PW	EXISTING PROCESSED WATER LINE & SIZE (IF KNOWN)
SD	EXISTING STORM DRAIN LINE & SIZE (IF KNOWN)
---	EXISTING CURB & GUTTER
---	EXISTING EDGE OF PAVEMENT
---	EXISTING FENCE

DETAIL DESIGNATION SHEET NUMBER

A	4.02	DETAIL REFERENCE - DETAIL DESIGNATION (TOP) SHEET No. (BOTTOM)
---	------	--

PROPOSED GRADE ELEVATION

2.0%	PROPOSED GRADIENT
FL	FLOWLINE
FS	FINISHED SURFACE
FF	FINISHED FLOOR
FP	FINISHED PAD
INV	INVERT OF PIPE
TC	TOP OF CONCRETE
TG	TOP OF GRADE
TP	TOP OF PAVEMENT
GB	GRADE BREAK

- CONSTRUCTION NOTES (THIS SHEET ONLY)**
- RETENTION BASIN
 - AC PAVEMENT AREA T1 OF 6.5, AC 3.75" OVER 6.5" OF CLASS 2 AGG. BASE, VERIFY WITH SOILS ENGINEER PRIOR TO CONSTRUCTION.
 - CONCRETE SLAB AREA, REFER TO PAVING PLAN.
 - CONCRETE CROSS GUTTER, PER CITY OF PASO ROBLES, STD DETAIL C-6 ON SHEET C6.01.
 - CONCRETE CURB & GUTTER, PER CITY OF PASO ROBLES, STD DETAIL C-1 ON SHEET C6.01.
 - CONCRETE CURB, PER CITY OF PASO ROBLES, STD DETAIL C-2 ON SHEET C6.01.
 - 0" CONCRETE CURB HEIGHT (FLUSH CURB)
 - TRUCK DOCK, REFER TO ARCHITECTURAL PLANS.
 - FIRE HYDRANT INSTALLATION, PER CITY OF PASO ROBLES, STD DETAIL G-1 ON SHEET C6.02.
 - INTENTIONALLY DELETED
 - SANITARY MANHOLE, PER CITY OF PASO ROBLES, STD DETAIL F-3 ON SHEET C6.01.
 - INTENTIONALLY DELETED
 - INSTALL LINEAR TRENCH DRAIN SEE PLUMBING PLANS.
 - SAW CUT AND MATCH POINT, PROVIDE SMOOTH TRANSITION.
 - AC PAVEMENT IN PARKING AREA T1 OF 4.5, AC 2.5" OVER 6" OF CLASS 2 AGG. BASE, VERIFY WITH SOILS ENGINEER PRIOR TO CONSTRUCTION.
 - SEE GRADES AND GRADE BREAK FOR ACCESSIBLE PATH ON SHEET C4.03.
 - INSTALL CURB RAMP, PER CITY OF PASO ROBLES, STD DETAIL C-8.1 "CASE F" ON SHEET C6.01, (TIE INTO EXISTING SIDEWALK)
 - INSTALL 24"x24" DROP INLET W/ H20 GRATE, MID-STATE CONCRETE PRODUCT OR EQUAL.
 - INSTALL 36"x36" DROP INLET W/ H20 GRATE, MID-STATE CONCRETE PRODUCT OR EQUAL.

- ADDITIONAL NOTES**
- SEE SOILS REPORT FOR OVER-EX AND PAD PREPARATION
 - VERIFY CONCRETE SLAB THICKNESS PRIOR TO GRADING
 - ONSITE WHEEL CHAIR RAMPS SHALL MEET THE REQUIREMENTS OF THE CALIFORNIA BUILDING CODE. WHEEL CHAIR RAMPS ALONG WISTERIA LANE OR ANY OTHER PUBLIC RIGHT OF WAY WILL MEET THE REQUIREMENTS OF THE CITY OF PASO ROBLES.

DEMOLITION NOTE

CONTRACTOR TO VERIFY TREE REMOVAL AS SHOWN ON PLANS WITH OWNER.

REMOVAL OF EXISTING STORM DRAIN SYSTEM NORTH OF EXISTING PARKING LOT SHALL BE COORDINATED WITH THE ENGINEER PRIOR TO REMOVAL.



Architecture, Planning & Graphics
 3592 Sacramento Dr., Suite 140
 San Luis Obispo, California 93401
 805/541-5604
 These drawings are instruments of service and are property of Steven D. Pulits, AIA Associates, LLP. All design and other information on the drawings are for use on the specified project and shall not be used elsewhere without the expressed written permission of Steven D. Pulits, AIA & Associates, LLP.

Project:
WISTERIA 3
 R.O.S. 105-36
 PARCEL 1
 WISTERIA LANE
 PASO ROBLES
 CA 93446

Owner:
JUSTIN VINEYARDS AND WINERY, LLC
 2265 WISTERIA LANE
 PASO ROBLES
 CA 93446
 (805) 238 - 6932

Consultant:
LANDMARK SURVEYING & ENGINEERING
 3074 N. MESA PARKWAY / SUITE 103 / SAN LUIS OBISPO, CALIFORNIA 93401
 TEL: 805.562.7722 / FAX: 805.562.7721 / WWW.LANDMARKCA.COM

Sheet Contents:
 CONCEPTUAL GRADING & UTILITIES PLAN

Date: 20 APRIL 2018
 Revised:

Job No: 1253.17

Sheet: C1

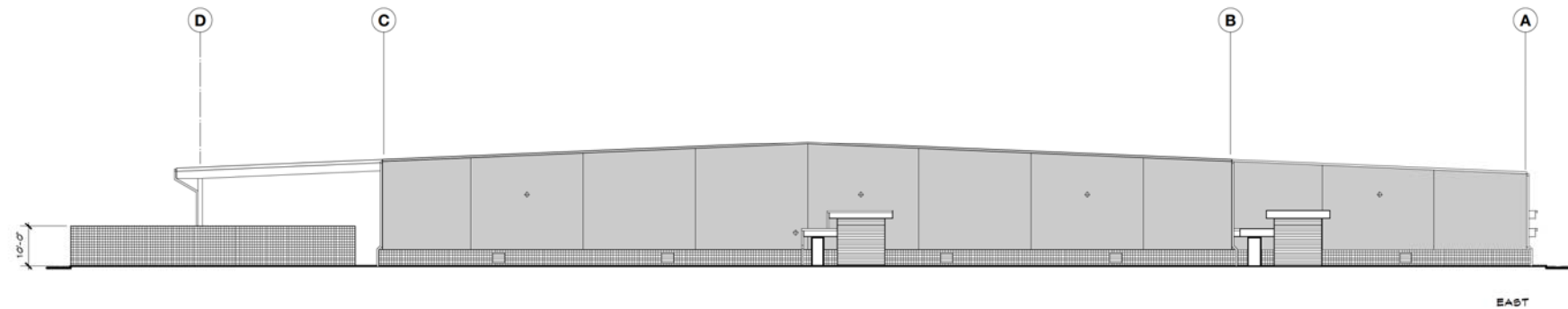
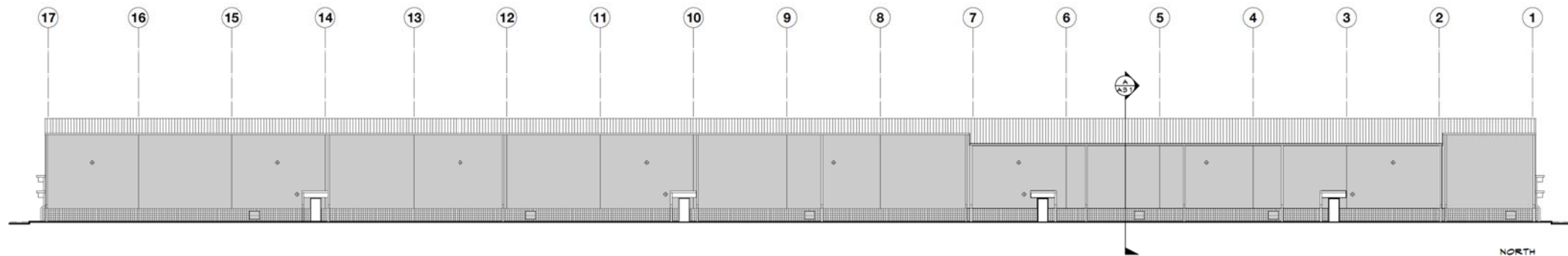
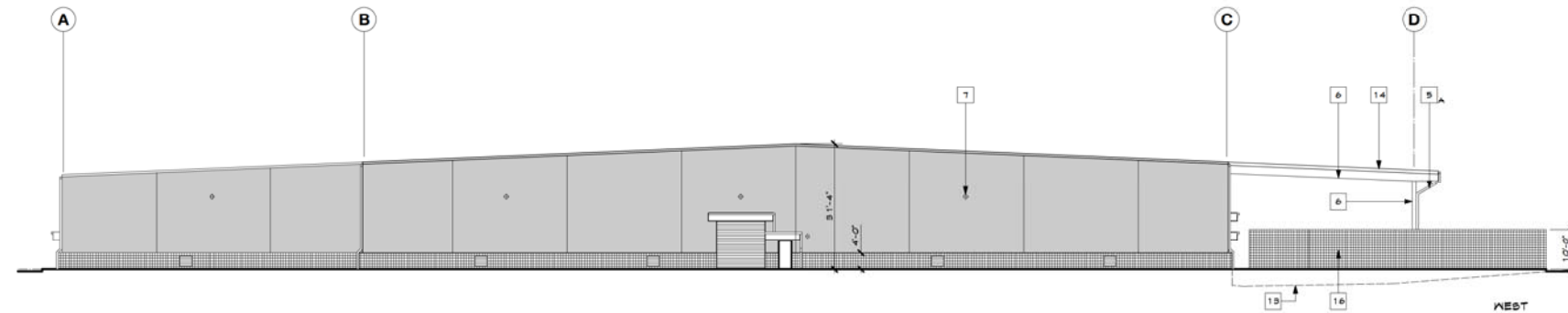
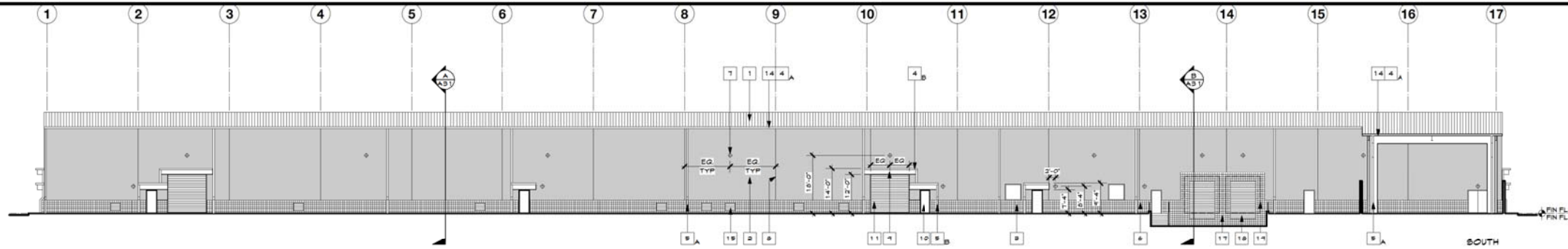
MATCH LINE - SEE SHEET 4.02

ELEVATION GENERAL NOTES

1. Insulated metal wall panels shall be Kingspan 400 Series "V-Wave" Panels 22 gauge exterior/26 gauge interior, galv "S-10" w/ 4" thick R-26.4 core, ribs running horizontally, anchorage per manufacturer. Wall panel design is based on a 3'4 3/8" wall panel module.
2. Metal roof panels shall be Kingspan KingZip Insulated Standing Beam Panels 22 gauge exterior/26 gauge interior, galv "S-10" w/ 6" thick R-19.2 core. Roof panel design is based on a 4'-0" wide panel module.

ELEVATION REFERENCE NOTES

1. KINGSPAN KINGZIP METAL ROOFING, COLOR: KINGSPAN 'REGAL WHITE'
2. KINGSPAN 400 V-WAVE PANELS, COLOR: KINGSPAN 'SILVER SMITH'
3. 4" HIGH GROUND FACE CONCRETE BLOCK MAINSCOT, BURNISHED & SEALED AIR-VOL BLOCK #80B40T6 - ONE SIDE VERTICAL SCORE IV/ PROFESSIONAL SUPER 1 COAT SEALER
4. GUTTER, COLOR:
 - A. KYNAR 'REGAL WHITE' (OR EQUAL)
 - B. KYNAR 'BLACK' (OR EQUAL)
5. DOWNSPOUT, COLOR:
 - A. KYNAR 'REGAL WHITE' (OR EQUAL)
 - B. KYNAR 'BLACK' (OR EQUAL)
6. EXPOSED STRUCTURAL FRAME, KYNAR 'BLACK'
7. WALL LIGHT, REFER TO LIGHTING FLOOR PLANS
8. PANEL JOINT COVER EXTRUSION TRIM, KINGSPAN 'BLACK'
9. METAL GANOFY, COLOR: KYNAR 'EBONY BLACK'
10. MAN DOOR, PER PLAN - REFER TO DOOR SCHEDULE COLOR: KYNAR 'EBONY BLACK'
11. ROLL-UP DOOR, PER PLAN - REFER TO DOOR SCHEDULE COLOR: PRATT & LAMBERT 'CAPE GOD GRAY'
12. NOT USED
13. LOADING DOCK RAMP, SHOWN DASHED
14. METAL FASCIA, COLOR: KYNAR 'REGAL WHITE'
15. EXHAUST FAN OR LOUVER COLOR: PRATT & LAMBERT 'CAPE GOD GRAY'
16. 10" HIGH GROUND FACE CONCRETE BLOCK SCREEN WALL, BURNISHED AIR-VOL BLOCK #80B40T6 IV/ VERTICAL SCORE IV/ PROFESSIONAL SUPER 1 COAT SEALER
17. CONCRETE BLOCK LOADING DOCK WALL SURROUND
18. DOCK LEVELER
19. DOCK SEALS



EXTERIOR ELEVATION
1/16" = 1' - 0"



Architecture, Planning & Graphics
3592 Sacramento Dr., Suite 140
San Luis Obispo, California 93401
805.941.5604 voice

These drawings are instruments of service and are property of Steven D. Pulits, AIA & Associates, LLP. All design and other information on the drawings are for use on the specified project and shall not be used otherwise without the expressed written permission of Steven D. Pulits, AIA & Associates, LLP.

Project:

JUSTIN WISTERIA 3

TRACT 2778-2
LOTS 9-14

2295 WISTERIA LANE
PASO ROBLES
CA 93446

Owner:

JUSTIN VINEYARDS AND WINERY, LLC

2265 WISTERIA LANE
PASO ROBLES
CA 93446

(805) 238 - 6932

Consultant:

Sheet Contents:

EXTERIOR ELEVATIONS



Date:

Revised:
7 FEB 18 PLNG SUBMITTAL
20 APR 18 PLNG RESUBMITTAL

Job No:

1724

Sheet:

A - 2

ATTACHMENT - 4

Mitigation Monitoring and Reporting Plan

Project File No./Name: PD 18-001 and OTR 18-014 – Justin Winery Building 3

Approving Resolution No.: Resolution No. _____ by: Planning Commission City Council Date: _____

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 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>AQ-1: <u>Dust Control Measures</u> Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. <u>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):</u></p> <ul style="list-style-type: none"> 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 	Project	Qualified Air Quality Specialist			Prior to Issuance of a Grading Permit

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>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. <u>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.</u> For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;</p> <ul style="list-style-type: none"> 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. 					

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.</p> <p>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.</p> <p>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;</p> <p>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.</p> <p>l. All PM₁₀ mitigation measures required should be shown on grading and building plans; and,</p>					

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>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.</p>					
<p>AQ-2: <u>Developmental Burning</u> Effective February 25, 2000, <u>the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.</u> If you have any questions regarding these requirements, contact the APCD Engineering & Compliance Division at (805) 781-5912.</p>	Project	Qualified Air Quality Specialist CDD			Prior to issuance of grading permit
<p>AQ-3: <u>Demolition Activities Demolition / Asbestos</u> 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). <u>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,</u></p>	Project	Qualified Air Quality Specialist CDD			Prior to issuance of grading permit

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>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.</p>					
<p>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.</p> <p>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.</p> <ul style="list-style-type: none"> • Power screens, conveyors, diesel engines, and/or crushers; • Portable generators and equipment with engines that are 50 hp or greater; 	Project	Qualified Air Quality Specialist/ CDD			Prior to issuance of a grading permit.

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<ul style="list-style-type: none"> • 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). <p><u>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.</u></p>					
<p>BR-1. The canopy edge and trunk location of oak trees within 50 feet of proposed construction on the Property shall be surveyed by a licensed land surveyor and placed on all plan sets. Tree assessments should be conducted by a certified arborist or qualified botanist. Data collected for the tree shall include diameter at breast height (4.5 feet) of each stem/trunk, canopy diameter, tree height, tree health, and habitat notes (cavities for birds or bats), raptor nests, wood rat nests, and unique features. The tree map shall be used to determine impacts to trees from the project and will inform the mitigation plan.</p>	Project	Qualified Biologist CDD			Prior to issuance of grading permit
<p>BR-2. Impacts to the oak canopy or critical root zones (CRZ) should be avoided where practicable. Impacts include pruning, ground disturbance within the CRZ, and trunk damage.</p>	Project	Qualified Biologist CDD			Prior to issuance of grading permit
<p>BR-3. Prior to ground breaking, tree protection fencing shall be installed as close to the outer limit of the CRZ as practicable for construction operations. The fencing shall be in place</p>	On-going	CDD			Prior to issuance of grading permit

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
throughout the duration of the project, and removed only under the direction of the project environmental monitor or arborist, while demolition is in progress.					
BR-4. Trenching within the CRZ must be approved by the project arborist, and shall be done by hand or with an air spade. Any roots exposed by demolition shall be treated by a tree care specialist and covered with a layer of soil to match existing topography.	On-going	CDD			Prior to issuance of grading permit
BR-5. Landscape material within the CRZ must be of native, drought tolerant species. Lawns are prohibited within the CRZ.	On-going	CDD			Prior to issuance of grading permit
BR-6. Paving adjacent to and within the CRZ shall utilize interlocking pavers or equivalent that will allow proper infiltration of water and exchange of oxygen to the root zone of the tree.	On-going	CDD			Prior to issuance of grading permit
BR-7. Tree removal, if approved, shall commence within 30 days of inspection by a qualified biologist to determine the tree is not being used by nesting birds or bats at the time of removal.	Project	CDD			Prior to issuing Certificate of Occupancy permit
BR-8. Impacts to oak trees shall be assessed by a licensed arborist or qualified botanist prior to final inspection, and reported to the County.	Project	Certified Arborist CDD			Prior to issuing grading permit
BR-9. Impacts to oaks shall be mitigated by planting additional trees on site. Any oak tree with a dbh of five inches or greater shall require mitigation. Oaks removed shall be replaced in kind at a 25% of replacement inches.	On-going	Certified Arborist CDD		Notes shown on construction documents.	Prior to issuing grading permit.
BR-10. Replacement trees should be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least 7 years. Replacement trees shall be the same species as the tree impacted or removed, and of local origin.	On-going	CDD		Notes shown on construction documents.	Prior to issuing grading permit.

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>BR-11. Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during the breeding season from March 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 active raptor nests. 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. A map of the Project site and nest locations shall be included with the report. The Project biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.</p>	Project	CDD		Notes shown on construction documents.	Prior to issuing Building Permit.
<p>BR-12. A focused preconstruction survey for legless lizards shall be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by the project biologist. The preconstruction survey shall be conducted by a qualified biologist familiar with legless lizard ecology and survey methods, and with approval from California Department of Fish and Game to relocate legless lizards out of harm's way. The scope of the survey shall be determined by a qualified biologist and shall be sufficient to determine presence or absence in the project areas. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If legless lizards are found to be present in the proposed work areas the following steps shall be taken:</p> <ul style="list-style-type: none"> • Legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas. • Construction monitoring shall be required for all new 	Project	CDD			Prior to issuing Certificate of Occupancy permit

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>ground-breaking activities located within legless lizard habitat. Construction monitors shall capture and relocate horned lizards as specified above.</p> <ul style="list-style-type: none"> • A letter report shall be submitted to the County and CDFW within 30 days of legless lizard relocation, or as directed by CDFW. 					
<p>BR-13. Occupied nests of special status bird species shall be mapped using GPS or survey equipment. Work shall not be allowed within a 100 foot buffer for songbirds and 300 for nesting raptors while the nest is in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.</p>	Project	CDD			Prior to site disturbance, grading permit issued
<p>BR-14. Occupied nests of special status bird species that are within 100 feet of project work areas shall be monitored at least every two weeks through the nesting season to document nest success and check for project compliance with buffer zones. Once burrows or nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work may commence in these areas.</p>	On-going	Certified Arborist CDD		Shown on construction documents	Prior to issuance of grading permit
<p>BR-15. A preconstruction survey shall be conducted within thirty days of beginning work on the site to identify if badgers are using the site. The results of the survey shall be sent to the project manager and the County of San Luis Obispo. If the preconstruction 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</p>	On-going	Certified Arborist CDD		Shown on construction documents	Prior to issuance of building permit

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1 st and February 1 st 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					
BR-16. Prior to removal of any trees over 20 inches DBH, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. If a non-maternal roost is found, the qualified biologist, with prior approval from California Department of Fish and Game, will install one-way valves or other appropriate passive relocation method. For each occupied roost removed, one bat box shall be installed in similar habitat and should have similar cavity or crevices properties to those which are removed, including access, ventilation, dimensions, height above ground, and thermal conditions. Maternal bat colonies may not be disturbed.	Project	Certified Arborist CDD			Prior to issuance of Final Occupancy

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>BR-17 (BR-1, Res. 06-028). Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of Paso Robles, Community Development Department (City) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:</p> <p>a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 70.02 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 Wildlife (Department) and the City.</p> <p>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.</p> <p>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.</p> <p>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 \$175,050. This fee is calculated based on the current cost-per-unit of \$2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to City permit issuance and initiation of any ground disturbing activities.</p>	Project	CDD		\$175,050 was paid to the Palo Prieto Conservation Bank on August 15, 2011	Mitigation Measure BR-17 has been completed. (Includes BR-1 or Res. 06-028)

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>c. Purchase 70.02 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.</p> <p>Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total \$175,050. This fee is calculated based on the current cost- per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to City permit issuance and initiation of any ground disturbing activities.</p>					
<p>BR-18. 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:</p> <ul style="list-style-type: none"> o 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. o 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-28. Site disturbance activities lasting up to 14 days do not require 	On-going	CDD			Prior to issuance of Grading Permit/On-going with project construction.

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<p>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.</p> <ul style="list-style-type: none"> o Prior to or during project activities, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFW for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work. <p>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.</p> <ul style="list-style-type: none"> i. In addition, the qualified biologist shall implement the following measures: <ul style="list-style-type: none"> 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: 					

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
<ul style="list-style-type: none"> ▪ Potential kit fox den: 50 feet ▪ Known or active kit fox den: 100 feet ▪ Kit fox pupping den: 150 feet <p>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.</p> <p>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.</p>					
<p>BR-19. Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate the following as a note on the project plans: <i>“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”</i>. Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.</p>	On-going	CDD			Prior to issuance of a grading permit.
<p>BR-20. 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.</p>	On-going	CDD			On Going during construction.
<p>BR-21. 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</p>	On-going	CDD			Prior to issuance of a grading permit.

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
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-22. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.	Project	CDD			Prior to certificate of occupancy
BR-23. 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 certificate of occupancy
BR-24. 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	CDD			Prior to certificate of occupancy
BR-25. 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	Project	CDD			Prior to certificate of occupancy

Agenda Item 3

Mitigation Measure PD 18-001, OTR 18-14 (Justin Building No. 3)	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Timing/Remarks
poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.					
BR-26. 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.	Project				On -going with project construction.
BR-27. 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. 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				Prior to Certificate of Occupancy.
CR-1: Prior to the issuance of a Grading Permit, a Phase I Archeological Survey shall be completed to confirm the 1996 Survey, that no known cultural resources exist on the site.	Project	CDD			Prior to issuance of a Grading Permit

(add additional measures as necessary)

Explanation of Headings:

Type: Project, ongoing, cumulative

Monitoring Department or Agency: Department or Agency responsible for monitoring a particular mitigation measure

Shown on Plans: When a mitigation measure is shown on the plans, this column will be initialed and dated.

Verified Implementation: When a mitigation measure has been implemented, this column will be initialed and dated.

Remarks: Area for describing status of ongoing mitigation measure, or for other information.

TECHNICAL MEMORANDUM

TO: Carol Florence
Principal Planner
Oasis Associates, Inc.

FROM: Michael Ratte
Senior Air Quality Scientist
RCH Group

DATE: July 5, 2016

SUBJECT: Justin's Vineyards and Winery, Paso Robles, California
Reactive Organic Gases (ROG) Emissions Assessment

The proposed project would involve a 100,000 square foot wine storage warehouse; located at 2265 Wisteria Lane in Paso Robles, California in San Luis Obispo County. The anticipated storage capacity of the proposed facility is 2,172,700 gallons. The proposed project is adjacent to and on the same property/owner as the current facility. An air quality analysis was prepared pursuant to the San Luis Obispo County Air Pollution Control District's (SLOAPCD) Rules and Regulations for air emission permit applications. According to SLOAPCD's Rules and Regulations, proposed projects on adjacent parcels are considered cumulatively. In other words, anything built on the adjacent parcel needs to be added to the existing facility to access permitting compliance and requirements. Parcels are considered adjacent if they are held by the same owner.

The air quality analysis includes the review of the emission factors used in the reactive organic gases (ROG, which is considered equal to volatile organic compounds [VOC] for this analysis)¹ calculations, completion of the ROG emission calculations, provides a discussion of ROG emission control measures and other mitigation measures, and a review of the mechanisms to acquire ROG emission offsets.

¹ VOC means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions and thus, a precursor of ozone formation. ROG are any reactive compounds of carbon, excluding methane, CO, CO₂, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and other exempt compounds. The terms VOC and ROG are often used interchangeably.



Agenda Item 3

Page 2 of 6

Emission Factors

A review of emission factors was conducted. In SLOAPCD's Permit to Operate Application (dated December 30, 2015), the following emission factors were used:

Fermentation Loss: 6.2 pounds of ROG per 1,000 gallons
Storage and Handling Loss: 18.5 pounds of ROG per 1,000 gallons

A review of emission factors used by other air districts (such as San Joaquin Valley Air Pollution Control District² and Santa Barbara County Air Pollution Control District³ and California Air Resources Board⁴) shows that similar values are used within California.⁵

2015 Actual Emissions

There are approximately 45,200 square feet of existing wine storage at the existing facility. The existing facility will continue to operate after the construction of the proposed project. According to winery operations during 2015, a total of 1,200,000 gallons of wine went through the fermentation process and a total of 663,000 gallons of wine went through the storage process (169,000 gallons of white wine and 494,000 gallons of red wine). Thus, the actual ROG emissions during 2015 were 9.85 tons.

1,200,000 gallons fermentation * 6.2 pounds of ROG per 1,000 gallons = 7,440 pounds of ROG (3.72 tons of ROG)

663,000 gallons storage * 18.5 pounds of ROG per 1,000 gallons = 12,266 pounds of ROG (6.13 tons of ROG)

3.72 tons of ROG from fermentation + 6.13 tons of ROG from storage = 9.85 tons of ROG

Current Permitted Emissions

The current permitted capacity of the winery operations is total of 1,500,000 gallons of wine through the fermentation process and a total of 2,150,000 gallons of wine through the storage process. Thus, the current permitted ROG emissions are 24.5 tons.

1,500,000 gallons fermentation * 6.2 pounds of ROG per 1,000 gallons = 9,300 pounds of ROG (4.65 tons of ROG)

2,150,000 gallons storage * 18.5 pounds of ROG per 1,000 gallons = 39,775 pounds of ROG (19.9 tons of ROG)

4.65 tons of ROG from fermentation + 19.9 tons of ROG from storage = 24.5 tons of ROG

The permit limit is 25 tons of ROG. Any facility exceeding 25 tons of ROG would be required to reduce emissions with the use of control technology and/or purchase ROG offsets from a third party.

² San Joaquin Valley Air Pollution Control District, Rule 4695 Brandy Aging and Wine Aging Operations, September 17, 2009, <http://www.valleyair.org/rules/currnrules/r4695.pdf>

³ Santa Barbara County Air Pollution Control District, Wineries, January 9, 2015, <http://www.ourair.org/wineries/>

⁴ California Air Resources Board, Section 5.1 Food and Agriculture, Wine Fermentation, March 2005, <http://www.arb.ca.gov/ei/areasrc/fullpdf/full5-1.pdf>

⁵ Other emission factors found are 6.2 pounds of ROG per 1,000 gallons of red wine during fermentation, 2.5 pounds of ROG per 1,000 gallons of white wine during fermentation, 27.83 pounds of ROG per 1,000 gallons of red wine during storage, and 25.83 pounds of ROG per 1,000 gallons of white wine during storage.

Agenda Item 3

Page 3 of 6

Proposed Project Emissions

The proposed project would involve a 100,000 square foot wine storage warehouse. No additional fermentation capacity would be included in the proposed project. The proposed project would increase the wine storage capacity by 2,172,700 gallons (35,712 barrels). Thus, the increase in permitted ROG emissions is 20.1 tons.

$$2,172,700 \text{ gallons storage} * 18.5 \text{ pounds of ROG per 1,000 gallons} = 40,195 \text{ pounds of ROG (20.1 tons of ROG)}$$

No additional boiler units (climate control/hot water) or backup generator units would be required for the proposed project.

Proposed Permitted Emissions

Therefore, the requested permit capacity of the winery operations (existing plus proposed project) is a total of 1,500,000 gallons of wine through the fermentation process and a total of 4,322,700 gallons of wine through the storage process. Thus, the requested permitted ROG emissions are 44.6 tons.

$$1,500,000 \text{ gallons fermentation} * 6.2 \text{ pounds of ROG per 1,000 gallons} = 9,300 \text{ pounds of ROG (4.65 tons of ROG)}$$

$$4,322,700 \text{ gallons storage} * 18.5 \text{ pounds of ROG per 1,000 gallons} = 79,970 \text{ pounds of ROG (40.0 tons of ROG)}$$

$$4.65 \text{ tons of ROG from fermentation} + 40.0 \text{ tons of ROG from storage} = 44.6 \text{ tons of ROG}$$

The requested permitted ROG emissions would exceed the permit limit of 25 tons of ROG. Any facility exceeding 25 tons of ROG would be required to reduce emissions with the use of control technology and/or purchase ROG offsets from a third party. Therefore, the proposed project would be required to reduce emissions with the use of control technology and/or purchase 19.6 tons of ROG offsets.

Summary of Emissions

The following table presents a summary of the emission calculations for the 2015 actual condition, the current permitted limits, the proposed project, and the requested permitted limits.

Condition	Process	Wine (gallons)	Emission Factor	ROG Emissions (pounds)	ROG Emissions (tons)
2015 Actual	Fermentation	1,200,000	6.2	7,440	3.72
	Storage	663,000	18.5	12,266	6.13
2015 Actual Emissions Total				19,706	9.85
Current Permitted	Fermentation	1,500,000	6.2	9,300	4.65
	Storage	2,150,000	18.5	39,775	19.9
Current Permitted Emissions Total				49,075	24.5
Proposed Project	Fermentation	0	6.2	0	0
	Storage	2,172,700	18.5	40,165	20.1
Proposed Project Emissions Total				40,165	20.1
Requested Permitted	Fermentation	1,500,000	6.2	9,300	4.65
	Storage	4,322,700	18.5	79,970	40.0
Requested Permitted Emissions Total				89,270	44.6

Emission Controls

Information on the emission control of wine fermentation and/or storage is very limited. Emission controls are not currently used during the production of wines or brandy. Five potential control systems have been considered and three have been the subject of pilot-scale emission test studies at wineries or universities in California. The five systems are (1) carbon adsorption, (2) water scrubbers, (3) catalytic incineration, (4) condensation, and (5) temperature control. All of the systems have disadvantages in either low control efficiency, cost effectiveness, or overall applicability to the wide variety of wineries.⁶

The SJVUAPCD researched the available and achievable emissions controls for the wineries. Using a fermentation-wet scrubber, 99.5 percent of captured emissions can be destroyed. It is possible to achieve 90 percent capture efficiency, so the overall efficiency of this system would be 89 percent. A capture efficiency of 100 percent may be achieved by using a closed capture system that has not yet been demonstrated. An alternative to the scrubber control technology would be to use a thermal oxidizer with a 98 percent control efficiency. For the aging process, it is possible to capture and destroy the ROG with at least an 80 percent efficiency using regenerative thermal oxidizers or biofilters or going through a boiler.⁷

Night-Air Cooling System

Notably, the proposed project would be installed with a night-air cooling system to capture the cold air from outside during the night, which reduces the demand to use the refrigeration system. This reduces the building's electricity demand and is a unique trait of the San Luis Obispo climate to allow such a cooling process.

In many climates, night temperatures are cool even when daytime temperatures exceed economizer limits. Taking advantage of this resource, the air handler and economizer can flush the building with night air to cool down the building mass. The cool mass then acts as a heat sink the following day.

Setting controls for night precooling can save a significant amount of energy, depending on location. Studies indicate cost savings range from five percent in Phoenix, Arizona, to 18 percent in Denver, Colorado, for a typical office building. Night precooling also reduces peak demand. Simulation analyses show that precooling a 100,000 square foot three-story building in Sacramento, California, would reduce energy use by 12.6 percent and cause a peak demand reduction of 31.3 percent.⁸

⁶ US Environmental Protection Agency, AP-42 Compilation of Air Pollutant Emission Factors, Section 9.12, Wines and Brandy, October 1995, <https://www3.epa.gov/ttn/chief/ap42/ch09/final/c9s12-2.pdf>

⁷ An Alternative State Implementation Plan for the San Joaquin Valley, February 2007, http://www.kirschfoundation.org/care/documents/Clearing%20the%20Air_Full%20Report.pdf

⁸ Energy Star Building Upgrade Manual, Chapter 9, Revised January 2008, <https://www.energystar.gov/buildings/facility-owners-and-managers/existing-buildings/save-energy/comprehensive-approach/energy-star>

ROG Offsets

The requested permitted ROG emissions would exceed the permit limit of 25 tons of ROG. Any facility exceeding 25 tons of ROG would be required to reduce emissions with the use of control technology and/or purchase ROG offsets from a third party. Therefore, the proposed project would be required to reduce emissions with the use of control technology and/or purchase 19.6 tons of ROG offsets.

The buying and selling of ROG emission offsets is an open-market system. The price is set by the seller of the offsets and the seller of the offsets can hold onto their offsets indefinitely. The cost of ROG offsets in 2015 depends on the air district ranging from \$7,060/ton in the Bay Area (five transactions), \$1,337/ton in Imperial County (92 transactions), \$3,300/ton in the San Joaquin Valley (nine transactions), and \$22,246/ton in the South Coast District (35 transactions). No other ROG offset transactions occurred within California in 2015.⁹ The last occurrence of a ROG offset transaction in the San Luis Obispo APCD was in 2003. The cost of offsets would tend to be lower in the San Luis Obispo APCD (than in the South Coast or Bay Area) as the region is in attainment¹⁰ for ozone (for which ROG is a precursor to formation) and supply would be greater than demand. Secondly, within the San Luis Obispo APCD, the offset ratio is 1 to 1; that is, the amount of offsets required is equal to the amount of emissions exceeding the 25 tons limits (or 19.6 tons). In nonattainment areas such as the South Coast, the offset ratio may be as high as 1.2 to 1.

For example, assuming a cost of \$5,000/ton, the cost of ROG offsets for 19.6 tons would be \$98,000.

$$\$5,000 \text{ per ROG ton} * 19.6 \text{ tons of ROG} = \$98,000$$

However, the example cost above is purely speculation. The companies in the following table which currently hold the ROG emission offsets would need to be contacted to determine the current price for ROG emission offsets. If Justin Winery purchases ROG emission offsets they could sell them in the future (if they decide to no longer operate above 25 tons/year or if ROG emission reduction technology for wineries becomes more readily available). The following table presents the San Luis Obispo County Emission Reduction Credit Registry; a summary of the available ROG emission offsets, the company which currently owns them, and the amount available for purchase. The district does not assist or preform the transfer. The applicant must contact the seller and the transaction can be recorded through a certified letter (and perhaps purchase agreement/canceled check).

⁹ California Air Resources Board, Emission Reduction Offsets Transaction Cost Summary Report for 2015, May 2016, <http://www.arb.ca.gov/nsr/erco/erco.htm>

¹⁰ An attainment area is any area that meets the National Ambient Air Quality Standards for a given criteria pollutant.

Agenda Item 3

Page 6 of 6

Application #	Company	Action Date	Certificate #	VOC (tons)	Contact Info
2268	Unocal	7/27/99	516-Z	5.410	Chevron (Unocal Avila) 2184 W. Thornberry Road Guadalupe CA 93434
2236	Unocal	1/7/97	U-3032-Z-3	11.124	Chevron (Unocal Guadalupe) 2184 W. Thornberry Road Guadalupe CA 93434
2982	Chevron Shandn	9/22/00	692-Z1	0.350	Chevron Products Company 575 Lennon Lane Suite N2000 Walnut Creek, California 94598
3219	Dynegy	04/17/02	772-Z1	32.890	Dynegy Morro Bay, LLC 1290 Embarcadero Road Morro Bay, California 93442
4376	CB&I Trusco	10/3/07	1196-Z1	0.037	CB&I Trusco Tank 4388 Santa Fe Road San Luis Obispo, CA 93401
5179	Lime Mountain	8/11/10	2037-Z1	0.274	
5320	Philips 66	4/12/12	780-Z7	0.864	Phillips 66 Company Santa Maria Facility 2555 Willow Road Arroyo Grande, California 93420
name only	Philips 66	4/12/12	1319-Z2	0.941	Phillips 66 Company Santa Maria Facility 2555 Willow Road Arroyo Grande, California 93420
name only	Philips 66	4/12/12	589-Z2	0.074	Phillips 66 Company Santa Maria Facility 2555 Willow Road Arroyo Grande, California 93420
1924	Bolthouse Farms	4/4/14	1010-z4	0.020	
6068	Dynegy	4/16/15	1931-Z1	3.410	

RESOLUTION NO: 06-027

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING A MITIGATED NEGATIVE DECLARATION FOR
PLANNED DEVELOPMENT 97-013 & TENTATIVE TRACT 2778
(ERSKINE)
APN: 025-431-022, 041 & 025-421-48, 49 & 50

WHEREAS, Tract 2778 has been filed by McCarthy Engineering on behalf of Tom Erskine to subdivide a 47-acre property into 20 lots ranging in size from 1-acre to 3-acre parcels, for business park development; and

WHEREAS, 19-acres of the 47-acre site is currently a portion of Tract 2269 (Lots 20 & 21), Tentative Tract 2778 would resubdivide the 19-acres along with the 28-acre portion to create a 20 lot subdivision; and

WHEREAS, Tract 2778 is located at the eastern end of Wisteria Lane; and

WHEREAS, in conjunction with the Tract 2778, Planned Development 97-013 Amendment has been submitted to establish development standards for the business park; and

WHEREAS, since the existing 19-acres is currently a portion of the existing business park (Tract 2269), and was fully evaluated when the development was originally proposed and once again in the EIR for the City's updated Circulation and Land Use Elements in 2003, and since the 19-acre portion had received project entitlements through a Planned Development (PD 97-013) to build a business park, the request to resubdivide the approved development would have no impact since no new development, or increased development intensity would result; and

WHEREAS, based on the above determination, the project would not exceed the 40-acre threshold for being considered a "project of statewide, regional, or area wide significance"; and

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

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

WHEREAS, a public hearing was conducted by the Planning Commission on April 25, 2006 to consider the Initial Study prepared for this application, and to accept public testimony regarding this proposed environmental determination, and

Agenda Item 3

WHEREAS, the applicant has entered into a signed Mitigation Agreement with the City of Paso Robles (prior to Planning Commission action on the Negative Declaration) that establishes obligation on the part of the property owner to mitigate potential future impacts as identified within the environmental document; and

WHEREAS, based on the information contained in the Initial Study prepared for this project and testimony received as a result of the public notice, the Planning Commission finds no substantial evidence that there would be a significant impact on the environment based on the attached Mitigation Agreement and mitigation measures described in the initial study and contained in the resolution approving Tentative Tract 2778 as site specific conditions summarized below.

Topic of Mitigation	Condition #
Kit Fox	17
Traffic and Circulation	25-28
Airport Related	18-22
Biological	14

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of El Paso de Robles, based on its independent judgment, to approve a Mitigated Negative Declaration for Planned Development 97-013 Amendment and Tentative Tract 2778 in accordance with the California Environmental Quality Act; and

PASSED AND ADOPTED THIS 25th day of April, 2006, by the following roll call vote:

AYES: Steinbeck, Menath, Holstine, Withers, Hamon

NOES: None

ABSENT: Flynn

ABSTAIN: None



CHAIRMAN JOHN HAMON

ATTEST:



RON WHISENAND, PLANNING COMMISSION SECRETARY

ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM
CITY OF PASO ROBLES
PLANNING DIVISION

1. **PROJECT TITLE:** Tentative Tract 2778 and PD 97013 Amendment.
- Concurrent Entitlements:** As described above
2. **LEAD AGENCY:** City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446
- Contact:** Darren R. Nash, Associate Planner
Phone: (805) 237-3970
3. **PROJECT LOCATION:** East end of Golden Hill Road, north of Highway 46 East,
East of the Golden Hills Business Park, Wisteria Lane, Paso Robles, California
4. **PROJECT PROPONENT:** Ranch & Coast Properties
- Contact Person:** Tom Erskine
Phone: 239-9566
5. **GENERAL PLAN DESIGNATION:** Business Park (BP)
6. **ZONING:** Planned Industrial (PM)
7. **PROJECT DESCRIPTION:** Request for Tentative Tract 2778 and PD 97013 Amendment to subdivide the 28 acre site along with 19 acres (totaling 47 acres) of the original Golden Hills Business Park into 20 lots ranging in size from 1-acre to 3 acres.
8. **ENVIRONMENTAL SETTING:**
The subject 47 acre site is currently vacant and is relatively flat with various scattered oak trees. The terrain is similar to the existing Golden Hills Business Park adjacent to the west. The project along the northern boundary of the site includes the significant river bank areas that slope down to the Huer Huero Creek. The development will take place on the flat areas and not disrupt the existing river bank

Agenda Item 3

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

areas. All oak trees are proposed to be preserved. There is no development associated with this general plan amendment and rezone, environmental impacts associated with the physical development of the site would be determined with the development plan process for a specific project.

Neighboring Properties:

North: POS zoned, **South:** POS zoned, vacant land. **West:** PM Zoned, existing Golden Hills Industrial Park, **East :** Additional POS zoned property.

9. RELATED ENVIRONMENTAL DOCUMENTATION:

Biological Resources Report and Impact Analysis for the Huer Huero Golf Course Project, prepared by Dudek & Associates, Inc., dated April 12, 1996.

General Plan EIR for 2003 Update

10. PERSONS PARTICIPATING IN THE PREPARATION OF THE INITIAL STUDY:

Darren Nash: Associate Planner.

11. CONTEXT OF ENVIRONMENTAL ANALYSIS FOR PROJECT:

This environmental initial study analyzes the potential impacts associated with the 20-lot subdivision.

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

Agenda Item 3

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

ISSUES (and Supporting Information Sources):

DETERMINATION

(To be completed by the Lead Agency)

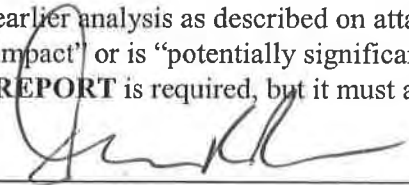
On the basis of this initial evaluation:

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

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

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

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



 Signature

4/5/06

 Date

Darren R. Nash

 Printed Name

Associate Planner

 Title

Agenda Item 3

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

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards.
2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. “Potentially Significant Impact” is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more “Potentially Significant Impact” entries when the determination is made, preparation of an Environmental Impact Report is warranted.
4. “Potentially Significant Impact Unless Mitigated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVII at the end of the checklist.
6. References to information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist. A source list has been provided in Section XVII. Other sources used or individuals contacted have been cited in the respective discussions.
7. The following checklist has been formatted after Appendix I of Chapter 3, Title 14, California Code of Regulations, but has been augmented to reflect the needs and requirements of the City of Paso Robles.

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

Agenda Item 3

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

SAMPLE QUESTION:

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

Would the proposal result in or expose people to potential impacts involving:

Landslides or Mud flows? (Sources: 1, 6)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

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

I. LAND USE AND PLANNING. Would the Proposal:

a) Conflict with general plan designation or zoning? (Source: 1,2)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The request to subdivide the 47-acre site into 20 lots for commercial/light-industrial uses would be consistent with the Business Park land use designation and the Planned Industrial zoning designation.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: There are no other environmental plans currently in place for the property by other agencies.

c) Be incompatible with existing land use in the vicinity? (Source: 1,2)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: This change of the designations would be compatible with surrounding properties.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The site is currently covered with native grasses. There would not appear to be a conflict with agricultural resources.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The property is surrounded by property designated with different zoning and general plan designations. There is not an established community in this area of the City.

II. POPULATION AND HOUSING. Would the proposal:

a) Cumulatively exceed official regional or local population projections? (Source: Paso Robles General Plan.)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Agenda Item 3

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

Discussion: There is no residential development proposed with this General Plan Amendment and Rezone, therefore this project will not exceed population projections.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The site is in the vicinity of existing roads/highways. The infrastructure in the area such as sewer and water is in the vicinity of this site and can be extended to serve the project.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Displace existing housing, especially affordable housing?
Discussion: N?A | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

- | | | | | |
|-------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Fault rupture? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|-------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

- | | | | | |
|----------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Seismic ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The City's General Plan contains public safety policies that would require special attention to projects with potential for liquefaction. Also, see the response to Section III(a). Based on the above discussion, the potential for exposure of persons or property to seismic hazards, including liquefaction is not considered significant.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Seiche, tsunami, or volcanic hazard? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

- | | | | | |
|-----------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) Landslides or Mud flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|-----------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Agenda Item 3

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

Discussion: See discussion for III (f).

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

- | | | | | |
|----------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| g) Subsidence of the land? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

- | | | | | |
|---------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| h) Expansive soils? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| i) Unique geologic or physical features? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: N/A

IV. WATER. Would the proposal result in:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (Source: 6,7,9) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: In the future, when a development plan is submitted for each lot, a standard condition of approval would be added to the project that would require the applicant to submit a complete grading and drainage plan prepared by a registered civil engineer with the improvement plans. Drainage calculations shall be submitted, with provisions made for on-site detention/ retention if adequate disposal facilities are not available, as determined by the City Engineer.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Exposure of people or property to water related hazards such as flooding? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See comment for IV.a

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen, turbidity)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: N/A

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Changes in the amount of surface water in any water body? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See Sec. IV a, discussion

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Changes in currents, or the course or direction of water movement? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: N/A

Agenda Item 3

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Altered direction or rate of flow of groundwater? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Impacts to groundwater quality? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? (source: 7) Discussion: It is not anticipated that the amount of ground water will be any more than typically used for a business park/light-industrial type use.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

V. AIR QUALITY. Would the proposal:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Violate any air quality standard or contribute to an existing or projected air quality violation? (Source: 9,10) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The San Luis Obispo County area is a non-attainment area for the State standards for ozone and suspended particulate matter. The SLO County Air Pollution Control District (APCD) administers a permit system to ensure that stationary sources do not collectively create emissions which would cause local and state standards to be exceeded. To aid in the assessment of project impacts subject to CEQA review, the APCD published the "CEQA Air Quality Handbook" in August, 1995. This handbook establishes screening thresholds for measuring the potential of projects to generate air quality impacts. Generally, any project that generates less than 10lbs./day of emissions would "qualify" for a Negative Declaration determination, and a project that generates between 10 and 24lbs./day of emissions would "qualify" for a Mitigated Negative Declaration.

Standard APCD conditions have been applied to this project. Conditions are listed within the Tract 2778 resolution as well as existing APCD conditions with PD 97-013.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Expose sensitive receptors to pollutants? (Source: 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There would not be an exposure to sensitive receptors to pollutants with the approval of this project.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Alter air movement, moisture, or temperature? (Source: 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: N/A.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Create objectionable odors? (Source: 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: N/A

Agenda Item 3

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

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

- a) Increased vehicle trips or traffic congestion?

Discussion: A Traffic Analysis Report was prepared by Higgins Associates for the project.

The City Engineer has reviewed the Traffic Report and has indicated the following comments and suggested mitigation:

Streets and Traffic Impacts:

All streets in Tract 2778 will be designed in accordance with Industrial Street Standard A-4. This subdivision will be accessed from Wisteria Lane. Wisteria Lane is planned to eventually extend easterly to Airport Road.

“A” Street has been stubbed out to the south for future connection to the streets in Tract 2594 and/or Tractor Way. Secondary emergency access will be provided by a temporary connection with Tract 2594.

The traffic study for Tract 2778 identifies impacts at the intersection of Golden Hill Road and Highway 46E; DaIllons Drive and Golden Hill Road; and Wisteria Lane and Golden Hill Road.

We have received comment letters from Caltrans dated 3-21-06 and 4-11-06. The March letter takes issue with the volume of traffic generation stated in the applicant’s traffic study. This comment does not appear well founded. Unlike residential property, the subdivision of industrial property does not result in an entitlement to develop more property, or more buildings. Therefore, the subdivision in itself does not create a traffic impact. The impact comes from the development of the industrial properties within the subdivision. Mitigation measures are proposed to be implemented with the development of the lots in the subdivision.

As a mitigation measure, buildings developed in Tract 2778 will be conditioned to pay their fair share of the cost of the following projects:

- The dual left turns at Highways 101 and 46E
- Intersection improvements at Highway 46E and Golden Hill Road
- The ultimate development of Golden Hill Road and its intersection with Wisteria Lane.

(Improvements to the intersection of Dallons Drive and Golden Hill Road will be accomplished by adjacent development.)

The amounts of these shares will be based on the scope of the projects within Tract 2778 and their designated uses. The traffic generation numbers in the applicant’s traffic study are provided to identify the facilities being impacted. For the purposes of the study, the trip generation numbers are considered acceptable.

The April Caltrans letter specifically identifies State Routes 101 and 46 East as being affected by Tract 2778. It requests a revision to the applicant’s traffic study. For reasons stated above, we find the request without merit. It further requests that “an appropriate traffic mitigation strategy for State highway facilities be based on the revised traffic study and the agreements reached during future Caltrans and City staff consultations.”

Conditions of approval requiring fair share participation in improvements to the intersections listed above will require that each development in Tract 2778 will provide a traffic study that identifies their specific trip generation. It would be the desire of the City to establish with Caltrans a specific dollar mitigation based on average daily trips, so that the traffic studies provided with each project would be brief. This mitigation strategy could then be applied to all industrial development in the area.

Agenda Item 3

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

Project Mitigation Measures:

T-1: Upon occupancy of any unit in Phase II, each development within Tract 2778 will provide its share of the cost of the dual left turn project at the intersection of Highways 101 and 46 East.

T2: Upon occupancy of any unit in Phase II, each development within Tract 2778 will provide its share of the cost of improvements to the intersection of Highway 46 E and Golden Hill Road.

T3: Upon occupancy of any unit in Phase II, each development within Tract 2778 will pay its share of improvements to Golden Hill Road including its intersection with Wisteria Lane.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed design does not create any unsafe design features.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Inadequate emergency access or inadequate access to nearby uses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The GPA, Rezone and tentative subdivision would not create any impacts. At the time of the review of the development plan for each site, City Staff will review the project further to make sure there is not an impact related to this issue.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Insufficient parking capacity on-site or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There is no development proposed with this application. Upon review of a future development plan, City staff and the project engineer will need to insure that the proper parking numbers meet city codes.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Hazards or barriers for pedestrians or bicyclists? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: N/A.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: N/A.

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| g) Rail, waterborne or air traffic impacts? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion: The project is within zones 3 and 4 of the Airport Land Use Plan. The GPA & Rezone was reviewed by the County Airport Land Use Commission. The following measures are related to impacts to the Airport:

1. All development projects on all lots created by a subdivision will require constructive notice also known as a Disclosure Document to be recorded on each parcel notifying future property owners that each parcel will need to be developed in accordance with the Airport Land Use Plan and meet all requirements set by the ALUC.

2. The maximum non-residential density allowed per acre on each parcel will be limited to 40 persons. This is the maximum allowable density in Safety Zone 4 where all construction and development will occur. A Disclosure Document will ensure that all owners, potential purchasers, occupants (whether as owners or renters) receive full and accurate

Agenda Item 3

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

disclosure concerning the noise, safety, or overflight impacts associated with airport operations prior to entering any contractual obligation to purchase, lease, rent, or otherwise occupy any property or properties within the airport area.

3. Avigation easements will be recorded for all properties created by any associated subdivision of the subject parcel. If no subdivision takes place any future development will be required to obtain and record the appropriate avigation easements.

4. If a revision of the subdivision proposal occurs and the size of a lot exceeds 3-acres or if the subdivision does not take place and the parcel is built out as a single site, the density of development will not exceed 40 persons per acre for the site as a whole and the density of development will not exceed 120 persons per acre on any single acre.

5. Uses listed as noise sensitive uses by the ALUP will be prohibited.

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

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

Discussion: A Biological Resources Report was prepared for the entire 263 acre site that was known as the Huer Huero Golf Course. The Golf Course project was never built, and the proposed application is a 28-acre portion of the original 263 acre site. At the time of the Report, the main biological issues appeared to be the possibility of Kit Fox and Oak Tree Impacts. A condition has been added that prior to recordation of Tract 2778 that the applicant have the project Biologist do a current survey to indicate any issues since the original Biological Study was prepared.

Oak tree impacts should not be significant, since each lot will have to be developed in accordance with the current Oak Tree Ordinance which will required staying out of the Critical Root Zones of the trees. Regarding Kit Fox issues, a current evaluation has been prepared, see following information from Althouse & Meade.

The following is information from Dan Meade of Althouse & Meade who prepared the Kit Fox Evaluation form for the project and met with California Department of Fish and Game Staff who reviewed and agreed with the evaluation score.

This parcel is 193 acres; the portion of the parcel under review for this project is 27.5 acres. The project area of disturbance in 23.34 acres.

Kit fox evaluation score = 71, 3 to 1 mitigation, 23.34 x 3 = 70.02 = 70 acres

Proposed project is the development of streets and utilities for a commercial business park. Parcels will be sold and commercial business and industrial buildings, parking lots, and work yards will be built, and landscaping will be installed. The entire net area of 23.34 acres will be removed from use as habitat for buildings, parking lot and appurtenant uses. Habitat on the property consists of California annual grassland (plowed), blue oak woodland, and blue oak savannah.

San Joaquin kit fox mitigations as follows:

BR-1 Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of Paso Robles (see contact information below) that states that one or a combination of the following four 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 **70** 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

Agenda Item 3

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

58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the City.

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

- b. Purchase 70 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.

At this time, there is no approved conservation bank that is operational in San Luis Obispo County. A conservation bank is expected to be operational in the near future. Purchase of credits must be completed prior to City permit issuance and initiation of any ground disturbing activities.

- c. The mitigation obligation for impacts to kit fox habitat from the Golden Hills Industrial Park Expansion project, Tract 2778, can be met by the applicant entering into an Agreement and Irrevocable Offer to Dedicate Conservations Lands with Robert A. Grant, Sr., Successor Trustee of The Grant Family Trust dated October 19, 1993, and Robert Grant, Jr. (the "Grants") and the Department of Fish and Game ("Department"), under which applicant will pay the Grants to commit to protect 70 acres of kit fox habitat, on certain real property owned by the Grants in San Luis Obispo County, by obligating credits form the anticipated Palo Prieto Conservation Bank, if such bank is approved by the Department on or before June 30, 2006, or by providing a conservation easement to the Department over such 70 acres of habitat lands, if the Conservation Bank has not been approved by June 30, 2006.
- d. If none of the above measures (a, b, or c) are available, the applicant may enter into a Mitigation Agreement with the Department, including depositing of funds into an escrow account (or other means of securing funds acceptable to the Department) which would ensure the protection in perpetuity of 70 acres of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring in perpetuity. The Department can provide a draft agreement to review; a signed Mitigation Agreement shall be submitted to the City prior to City permit issuance and initiation of any ground disturbing activities.

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

- a. **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.
- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, dinking, 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-3 through BR11. 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-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.
- c. **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

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

of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determine it is appropriate to resume work.

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

In addition, the qualified 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:

- a) Potential kit fox den: 50 feet
- b) Known or active kit fox den: 100 feet
- c) Kit fox pupping den: 150 feet

2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.

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

BR-3 Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate as a note on the project plans, that: *“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**,

In addition, **prior to permit issuance and initiation of any ground disturbing activities**, conditions BR-3 through BR-11 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.

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

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

BR-6 During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by

Agenda Item 3

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

plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

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

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

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

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

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

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

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

The following mitigation is separate from Kit Fox, related to general biological impacts:

Prior to the recordation of the final map for Tract 2778, the project biologist shall review the Biological Study prepared by Dudek & Associates for the Huer Huero Golf Course dated April 12, 1996 and determine that besides oak tree and Kit Fox issues that there are no other biological impacts that need to be addressed.

Contact Information

California Department of Fish and Game
 Central Coast Region
 P.O. Box 47
 Yountville, CA 94599
 (805) 528-8670

U.S. Fish and Wildlife Service
 Ventura Field Office
 2493 Portola Road, Suite B
 Ventura, CA 93003
 (805) 644-1766

Agenda Item 3

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

City of Paso Robles
 Planning Department
 Darren Nash
 1000 Spring Street
 Paso Robles, CA 93446
 (805) 237-3970

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

Discussion: There are multiple oak trees located on this site. The future development plans for the site will be required to design around the trees and preserve them.

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

Discussion: There are oak tree groves located on the creek banks in the northern area of the site. These slopes along with the trees will be preserved. The development will be proposed to take place on the flatter areas away from the slope banks.

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

Discussion: N/A

- e) Wildlife dispersal or migration corridors?

Discussion: N/A

VIII. ENERGY AND MINERAL RESOURCES. Would the proposal:

- a) Conflict with adopted energy conservation plans?

Discussion: N/A

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

Discussion: N/A

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

Discussion: N/A

IX. HAZARDS. Would the proposal involve:

- a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides,

Agenda Item 3

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

chemicals or radiation)?

Discussion: N/A

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Possible interference with an emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: N/A

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) The creation of any health hazard or potential hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: N/A

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Increased fire hazard in areas with flammable brush, grass, or trees? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: N/A

X. NOISE. Would the proposal result in:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increases in existing noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There is no construction associated with this application, with the future development plan, additional environmental review would take place.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Exposure of people to severe noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: N/A

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

- | | | | | |
|---------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Upon the development of the site, standard conditions will be added by the Fire Marshall addressing fire hydrants, sprinklers and access.

- | | | | | |
|-----------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Police Protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-----------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: During the development plan process in the future, the police department would have the opportunity to review the project and make comments.

- | | | | | |
|-------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project is in the vicinity of schools. Both an elementary school and the high school are within a mile away from the site. Upon the review of a development plan, for the site the school district will have the opportunity to comment on the project.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| d) Maintenance of public facilities, including roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|--------------------------|

Agenda Item 3

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Discussion: With the development of the site, whether R2 or R4 zoned, the developer would be required install the curb, gutter and sidewalk improvements along the property frontage. These improvements would have to be constructed per City Standards, and would eventually be accepted and cared for by the City.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e) Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---------------------------------	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: N/A

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

a) Power or natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: Southern California Gas Company provides service to the Paso Robles area. The project is not anticipated to interfere with gas services or create an unmet demand.				

b) Communication systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The Pacific Bell Company provides service to the Paso Robles and County areas. The project is not anticipated to interfere with phone/communication services.				

c) Local or regional water treatment or distribution facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: N/A

d) Sewer or septic tanks? (Source: 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The project will be required to hook up to City sewer and water.				

e) Storm water drainage? (Source: 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: A standard condition of approval will be added to the project at the time of development that would require the applicant to submit a complete grading and drainage plan prepared by a registered civil engineer with the improvement plans. Drainage calculations will need to be submitted, with provisions made for on-site detention/ retention if adequate disposal facilities are not available, as determined by the City Engineer				

f) Solid waste disposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: A trash enclosure will be required for this project at the time of development. The enclosure shall have metal "view obscuring" doors.				

g) Local or regional water supplies? (source: 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: There is no development associated with this general plan amendment and rezone, environmental impacts associated with the physical development of the site would be determined with the development plan process for a specific project.				

XIII. AESTHETICS. Would the proposal:

a) Affect a scenic vista or scenic highway? (Source: 1,9)				
---	--	--	--	--

Agenda Item 3

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion: There is no development proposed with this application. At the time the development plan goes through the planning process, high architectural and grading standards will be anticipated for this site.

b) Have a demonstrable negative aesthetic effect? (Source: 1,9)

Discussion: There is no development proposed with this application. At the time the development plan goes through the planning process, high architectural and grading standards will be anticipated for this site.

c) Create light or glare? (Source: 1,9)

Discussion: At the time of development, light shielding will be required.

XIV.CULTURAL RESOURCES. Would the proposal:

a) Disturb paleontological resources?

Discussion: N/A

b) Disturb archaeological resources?

Discussion: The Paso Robles area has been classified as territory occupied by the Migueleno Salinan and the Obispeno Chumash Native California populations. Past community populations have been evidenced at several sites within the Paso Robles area and unincorporated portions of the surrounding County.

c) Affect historical resources?

Discussion: See XIV b.

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

Discussion: N/A.

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

Discussion: N/A

XV.RECREATION. Would the proposal:

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

Discussion: When a development plan is studied for the site, outdoor open space will need to be provided to the City's Multifamily Code.

b) Affect existing recreational opportunities?

Discussion N/A.

XVI.MANDATORY FINDINGS OF SIGNIFICANCE.

Agenda Item 3

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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?</p> <p>Discussion: N/A</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals?</p> <p>Discussion: N/A</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</p> <p>Discussion: N/A</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p> <p>Discussion: N/A</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EARLIER ANALYSIS AND BACKGROUND MATERIALS.

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

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

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
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	1977 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 Sewer Master Plan	Same as above
8	City of Paso Robles Housing Element	Same as above
9	City of Paso Robles Standard Conditions of Approval for New Development	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	San Luis Obispo County – Land Use Element	San Luis Obispo County Department of Planning County Government Center San Luis Obispo, CA 93408
12	USDA, Soils Conservation Service, Soil Survey of San Luis Obispo County, Paso Robles Area, 1983	Soil Conservation Offices Paso Robles, Ca 93446
13	Higgins Traffic Analysis	On file
14	Althouse & Meade Kit Fox Survey	On File
15	Biological Survey by Dudek & Assoc. 12 April 1996	On File

Summary of Mitigation Measures

Description of Impact

Traffic
Biological/Kit Fox
Airport Related

Mitigation Measure

See Tract Resolution for list of Mitigation
See Tract Resolution for list of Mitigation
See Tract Resolution for list of Mitigation

ALTHOUSE AND MEADE, INC.**BIOLOGICAL AND ENVIRONMENTAL SERVICES**

1875 Wellsona Road • Paso Robles, CA 93446 • Telephone (805) 467-1041 • Fax (805) 467-1021

August 10, 2011
501.02

Lynne Dec Althouse, M.S.
(805) 459-1660 (cell)
lynnedee@althouseandmeade.com

Daniel E. Meade, Ph.D.
(805) 705-2479 (cell)
dan@althouseandmeade.com

City of Paso Robles
Planning Division
Attention: Darren Nash
1000 Spring Street
Paso Robles, CA 93446

Re: Erskine property, Golden Hill Industrial Park expansion

Dear Mr. Nash:

This letter report provides information regarding biological resources for an approximately 27.5-acre Study Area in the City of El Paso de Robles, San Luis Obispo County (Figure 1). The Study Area includes all of 20.26 acre Tentative new Parcel 1 (portion of APN 025-421-063) and a portion of Tentative New Parcel 2 (APN 025-435-017). Results are reported herein for botanical and wildlife surveys of the Study Area conducted in 2011. A habitat inventory and results of database and literature searches of special status species reports within five miles of the Study Area are also included. Special status species that could occur in the Study Area or be affected by the proposed project are discussed, and lists of plant and animal species that were identified or are expected at the Study Area are provided.

This report provides information regarding biological resources on the Study Area, and updates previous information (Brown 1996) utilized in the mitigated negative declaration approved for the project site on April 25, 2006 (City of Paso Robles Resolution No. 06-027).

1.1 Project Location and Description

The Study Area, Tract 2778, is located on Wisteria Lane in the City of El Paso de Robles, San Luis Obispo County, California. The Study Area is on the north side of the planned extension of Wisteria Lane. The Study Area is located in the Paso Robles United States Geological Survey (USGS) 7.5 minute quadrangle. Elevation varies from approximately 720 to 815 feet above mean sea level. Figures are provided in Section 5.0.

The proposed project (Project) is creation of a tentative new Parcel 1, 20.26 acres, and commercial development on the parcel by Justin Vineyards and Winery LLC. Construction plans were not available at the time this report was prepared. A tentative lot line adjustment map prepared by Dan King Surveying is included in Section 5.0.

1.2 Responsible Parties

The Property owner is Ranch and Coast Properties, Inc., attention Tom Erskine, (805) 878-2221, P.O. Box 510, Paso Robles, CA 93447. The current project biologist is Althouse and Meade, Inc, Daniel E. Meade, Ph.D., principal. City of El Paso de Robles planner for the project is Darren Nash, (805) 237-3970.

2.0 Methods

The Study Area was surveyed for biological resources on July 6, 2011 by biologists Daniel E. Meade, Ph.D. and Jason Dart. Biological surveys were conducted on foot to compile species lists, search for special status plants and animals, map habitats, and photograph the Study Area. Survey included oak woodland areas north to Huerhuero Creek and plowed fields south to survey stakes delineating the southern property boundary. Figure 1 shows the area included in the survey.

All plant and animal species observed in the Study Area were identified and recorded (Table 1). Identification of botanical resources included field observations and laboratory analysis of collected material. Botanical nomenclature used in this document generally follows the Jepson Manual (Hickman 1993). Where more recent nomenclature is used, the Jepson Manual name is provided in brackets. All observations of wildlife were recorded (Table 2). Birds were identified by sight, using 10 power binoculars, or by vocalizations.

We reviewed a previous biological report that included the subject property by Dudek and Associates (Brown 1996). We conducted a search of the California Natural Diversity Database (CNDDDB June 4, 2011 data) and the California Native Plant Society (CNPS) On-line Inventory of Rare and Endangered Plants of California for special status species reported to occur in the four USGS quadrangles that include and surround the Study Area: Paso Robles, San Miguel, Estrella, and Templeton.

Additional special status species research consisted of reviewing previous biological reports for the area and searching on-line museum and herbarium specimen records for locality data within San Luis Obispo County. We reviewed online databases of specimen records maintained by the Museum of Vertebrate Zoology (MVZ) at the University of California, Berkeley, the California Academy of Sciences (CAS), and the Consortium of California Herbaria (CCH).

Special status species lists produced by database and literature searches were cross-referenced with the habitat types found in the Study Area to identify all potential special status species that could occur on or near the Study Area (refer to Section 3.5)

3.0 Results

3.1 Existing Conditions

Tract 2778 is an agricultural parcel situated on a terrace above Huerhuero Creek. The Parcel is irregularly shaped with the northern boundary extending along the southern edge of the creek. The west side of the Parcel includes an existing commercial building and parking area. The east Parcel boundary is marked by a barbed-wire fence in the agricultural field, and the southern boundary is unmarked but generally follows along the north side of an existing dirt road. Developable portions of the Parcel are vegetated with annual grasses and weedy forbs on mostly level terrain that is periodically plowed. A few mature blue oak trees are located within the grassland habitat area. A small drainage ditch originates in the center of the Parcel, carrying stormwater northward to Huerhuero Creek. The ditch has eroded into a gully down a north-facing slope near the creek that is dominated by blue oak woodland habitat.

3.2 Habitat Types

The Study Area contains two habitat types: blue oak woodland and agricultural field. The proposed building site is located in the disturbed agricultural field. Dry land grain or hay production has been the primary crop on the site with cattle grazing following harvest. The existing building in the west end of the Study Area is not described as habitat.

3.2.1 *Blue oak woodland*

Blue oak (*Quercus douglasii*) woodland occurs in the Study Area on the slopes above Huerhuero Creek. Tree density is highest lower down the slope. Under story consists of annual and perennial grasses and a variety of native forbs. An eroded gully drains north through the woodland to Huerhuero Creek. The oak woodland habitat provides high quality nesting habitat for birds and foraging areas for small and medium sized mammals. It is contiguous with a thin line of blue oak woodland along Huerhuero Creek west and east of the Study Area. The Project would not disturb blue oak woodland.

3.2.2 *Agricultural field*

The flat portion of the Study Area has been plowed and farmed for at least the past five years. At the time of our spring 2011 surveys the agricultural field was fallow and vegetated with non-native annual grasses and forbs, including a dominant late season cover of field mustard (*Hirschfeldia incana*). Several mature blue oak trees are located within the agricultural field. The field is poor wildlife habitat due to regular mechanical disturbance. Common rodents such as California ground squirrel and deer mouse are likely present in low abundance, and other mammals such as mule deer and coyote likely forage in the field opportunistically.

3.3 Plant List

A botanical survey conducted in July 2011 identified 58 species of vascular plants in the Study Area (Table 1). No special status plants were identified.

TABLE 1. PLANT LIST. Listed are the 58 species of vascular plants identified at the Study Area. Plants are listed alphabetically by scientific name, within general life form categories.

Scientific Name	Special Status	Origin	Common Name
Trees - 2 species			
<i>Quercus douglasii</i>	None	Native	Blue oak
<i>Quercus lobata</i>	None	Native	Valley oak
Shrubs - 2 species			
<i>Frangula [=Rhamnus] californica</i> ssp. <i>californica</i>	None	Native	Coffeeberry
<i>Rhamnus crocea</i>	None	Native	Redberry
Forbs - 44 species			
<i>Amaranthus blitoides</i>	None	Native	Mat amaranth
<i>Amsinckia menziesii</i> var. <i>intermedia</i>	None	Native	Common fiddleneck
<i>Anagallis arvensis</i>	None	Introduced	Scarlet pimpernel
<i>Asclepias eriocarpa</i>	None	Native	Indian milkweed
<i>Asclepias fascicularis</i>	None	Native	Narrow-leaved milkweed
<i>Asclepias vestita</i>	None	Native	Wooly milkweed
<i>Capsella bursa-pastoris</i>	None	Introduced	Shepherd's purse
<i>Carduus pycnocephalus</i>	None	Introduced	Italian thistle
<i>Centaurea melitensis</i>	None	Introduced	Tocolote
<i>Chamaesyce</i> sp.	None	Native	Petty spurge
<i>Chamomilla suaveolens</i>	None	Introduced	Pineapple weed
<i>Chenopodium album</i>	None	Introduced	Lamb's-quarters
<i>Chenopodium californicum</i>	None	Native	Pigweed
<i>Clarkia purpurea</i> ssp. <i>quadrivulnera</i>	None	Native	Four spot
<i>Clarkia unguiculata</i>	None	Native	Elegant clarkia
<i>Conyza canadensis</i>	None	Native	Common horseweed
<i>Croton [=Eremocarpus] setigerus</i>	None	Native	Dove weed
<i>Deinandra [=Hemizonia] pentactis</i>	None	Native	Salinas tarplant
<i>Epilobium brachycarpum</i>	None	Native	Annual willow-herb
<i>Epilobium canum</i>	None	Native	California fuschia

Scientific Name	Special Status	Origin	Common Name
<i>Erigeron foliosus</i> var. <i>foliosus</i>	None	Native	Leafy daisy
<i>Erodium cicutarium</i>	None	Introduced	Redstem filaree
<i>Eryngium vaseyi</i>	None	Native	Coyote thistle
<i>Eschscholzia californica</i>	None	Native	California poppy
<i>Filago gallica</i>	None	Introduced	Narrowleaf cottonrose
<i>Galium andrewsii</i>	None	Native	Phlox-leaved bedstraw
<i>Heliotropium curassavicum</i>	None	Native	Heliotrope
<i>Hirschfeldia incana</i>	None	Introduced	Mustard
<i>Iva axillaris</i> ssp. <i>robustior</i>	None	Native	Poverty weed
<i>Juncus bufonius</i>	None	Native	Toadrush
<i>Lactuca serriola</i>	None	Introduced	Prickly lettuce
<i>Lagophylla ramosissima</i> ssp. <i>ramosissima</i>	None	Native	Slender hareleaf
<i>Lotus purshianus</i> var. <i>purshianus</i>	None	Native	Spanish clover
<i>Marrubium vulgare</i>	None	Introduced	Horehound
<i>Melilotus alba</i>	None	Introduced	White sweet clover
<i>Navarretia atractyloides</i>	None	Native	Navarretia
<i>Polygonum aviculare</i> ssp. <i>depressum</i> [= <i>P. arenastrum</i>]	None	Introduced	Common knotweed
<i>Rumex crispus</i>	None	Introduced	Curly dock
<i>Salsola tragus</i>	None	Introduced	Russian thistle
<i>Sisymbrium orientale</i>	None	Introduced	Oriental rocket
<i>Spergularia rubra</i>	None	Introduced	Red sand spurrey
<i>Trichostema lanceolatum</i>	None	Native	Vinegar weed
<i>Urtica urens</i>	None	Introduced	Dwarf nettle
<i>Verbena lasiostachys</i>	None	Native	Verbena
Grasses - 10 species			
<i>Avena fatua</i>	None	Introduced	Wild oat
<i>Bromus diandrus</i>	None	Introduced	Ripgut brome
<i>Bromus hordeaceus</i>	None	Introduced	Soft chess brome
<i>Bromus madritensis</i> ssp. <i>rubens</i>	None	Introduced	Red top brome
<i>Distichlis spicata</i>	None	Native	Saltgrass
<i>Elymus glaucus</i>	None	Native	Blue wildrye
<i>Hordeum murinum</i>	None	Introduced	Foxtail barley
<i>Melica imperfecta</i>	None	Native	Melic

Althouse and Meade, Inc.

Scientific Name	Special Status	Origin	Common Name
<i>Nassella pulchra</i>	None	Native	Purple needlegrass
<i>Vulpia myuros</i>	None	Introduced	Annual fescue

3.4 Wildlife List

At least one-hundred and one (101) animal species are listed that could potentially occur on the parcel (Table 2). These include at least 3 amphibians, 9 reptiles, 70 birds, and 19 mammals. We provide this list as a guide to the wildlife observed on the Parcel and to the species that could potentially be present at least seasonally. Other species could occur as transients, particularly avian fauna.

TABLE 2. WILDLIFE LIST. At least 101 wildlife species could potentially be present on the Parcel. The Special Status column indicates listing status of the organism under the Federal Endangered Species Act, the California Endangered Species Act, or by CDFG. Species observed at the site during our surveys are designated by the check symbol (✓) in the fourth column.

Common Name	Scientific Name	Special Status	Found on the Parcel	Habitat Type
Amphibians - 3 species				
Black-bellied Slender Salamander	<i>Batrachoseps nigriventris</i>	None		Oak woodlands, moist areas
California (Western) Toad	<i>Bufo boreas halophilus</i>	None		Grassland, woodland
Pacific Chorus Frog	<i>Pseudacris regilla</i>	None		Variety of habitats near water
Reptiles - 9 species				
Silvery Legless Lizard	<i>Anniella pulchra pulchra</i>	SSC		Sandy soils in dunes, woodlands, coastal scrub
Western Yellow-bellied Racer	<i>Coluber constrictor mormon</i>	None		Grasslands, open areas
Monterey Ringneck Snake	<i>Diadophis punctatus vandenburgii</i>	None		Woodlands, grasslands, chaparral
California Alligator Lizard	<i>Elgaria multicarinata multicarinata</i>	None		Open grassland, woodland, chaparral
California Kingsnake	<i>Lampropeltis getula californiae</i>	None		Woodland, grassland, streams
Pacific Gopher Snake	<i>Pituophis catenifer catenifer</i>	None		Woodland, grassland, rural
Skilton's [=Western] Skink	<i>Plestiodon skiltonianus skiltonianus</i>	None		Woodland, grassland, chaparral

Common Name	Scientific Name	Special Status	Found on the Parcel	Habitat Type
Western Fence Lizard	<i>Sceloporus occidentalis</i>	None	✓	Wide range
Side-blotched Lizard	<i>Uta stansburiana</i>	None		Dry habitats
Birds – 70 species				
White-throated Swift	<i>Aeronautes saxatilis</i>	None	✓	Nests in cliffs and bridges
Western Scrub Jay	<i>Aphelocoma californica</i>	None	✓	Oak, riparian woodlands
Golden Eagle	<i>Aquila chrysaetos</i>	Fully Protected Eagle Act		Variety of habitats with suitable prey
Cedar Waxwing	<i>Bombycella cedrorum</i>	None		Wooded habitat with berry bushes; urban
Great Horned Owl	<i>Bubo virginianus</i>	None		Woodland, grassland
Red-tailed Hawk	<i>Buteo jamaicensis</i>	None	✓	Open, semi-open country
Red-shouldered Hawk	<i>Buteo lineatus</i>	None		Oak, riparian woodlands
California Quail	<i>Callipepla californica</i>	None		Shrubby habitats
Anna's Hummingbird	<i>Calypte anna</i>	None		Many habitats
Lesser Goldfinch	<i>Carduelis psaltria</i>	None	✓	Riparian, oak woodlands
American Goldfinch	<i>Carduelis tristis</i>	None		Weedy fields, woodlands
House Finch	<i>Carpodacus mexicanus</i>	None		Riparian, grasslands, chaparral, and woodlands
Purple Finch	<i>Carpodacus purpureus</i>	None		Riparian and woodlands
Turkey Vulture	<i>Cathartes aura</i>	None		Open country
Hermit Thrush	<i>Catharus guttatus</i>	None		Woodland and brush
Wrentit	<i>Chamaea fasciata</i>	None		Riparian, chaparral
Northern Flicker	<i>Colaptes auratus</i>	None		Woodlands
Band-tailed Pigeon	<i>Columba fasciata</i>	None		Woodlands, urban trees
Rock Dove	<i>Columba livia</i>	None		Urban areas
American Crow	<i>Corvus brachyrhynchos</i>	None		Many habitats, esp. urban
Yellow-rumped Warbler	<i>Dendroica coronata</i>	None		Woodlands, brush, open country
Townsend's Warbler	<i>Dendroica townsendii</i>	None		Riparian, oak woodlands
Pacific-slope Flycatcher	<i>Empidonax difficilis</i>	None		Riparian, oak woodlands
Brewer's Blackbird	<i>Euphagus cyanocephalus</i>	None	✓	Open habitats
American Kestrel	<i>Falco sparverius</i>	None		Open, semi-open country
Bullock's Oriole	<i>Icterus bullockii</i>	None		Oak woodland

Agenda Item 3

Althouse and Meade, Inc.

Common Name	Scientific Name	Special Status	Found on the Parcel	Habitat Type
Dark-eyed Junco	<i>Junco hyemalis</i>	None		Oak woodland
Acorn Woodpecker	<i>Melanerpes formicivorus</i>	None	✓	Oak woodland
Wild Turkey	<i>Meleagris gallopavo merriami</i>	None		Woodlands
Northern Mockingbird	<i>Mimus polyglottos</i>	None		Riparian, chaparral and woodlands. Also urban
Brown-headed Cowbird	<i>Molothrus ater</i>	None		Rural areas, ranches
Ash-throated Flycatcher	<i>Myiarchus cinerascens</i>	None	✓	Open, arid habitats
MacGillivray's Warbler	<i>Oporornis tolmiei</i>	None		Oak, riparian woodlands
Western Screech Owl	<i>Otus kennicottii</i>	None		Oak woodland
Oak Titmouse	<i>Parus inornatus</i>	Special Animal (Nesting)		Oak woodland
House Sparrow	<i>Passer domesticus</i>	None		Urban
Savannah Sparrow	<i>Passerculus sandwichensis</i>	None		Open habitats, marshes, grasslands
Phainopepla	<i>Phainopepla nitens</i>	None		Oak, riparian, scrub
Black-headed Grosbeak	<i>Pheucticus melanocephalus</i>	None		Woodlands
Yellow-billed Magpie	<i>Pica nuttallii</i>	Special Animal (Nesting)	✓	Oak savannah
Nuttall's Woodpecker	<i>Picoides nuttallii</i>	Special Animal (Nesting)	✓	Oak, riparian woodlands
Downy Woodpecker	<i>Picoides pubescens</i>	None		Oak, riparian woodlands
California Towhee	<i>Pipilo crissalis</i>	None		Brushy habitats
Spotted Towhee	<i>Pipilo erythrophthalmus</i>	None		Dense brushy areas
Western Tanager	<i>Piranga ludoviciana</i>	None		Oak, riparian woodlands
Chestnut-backed Chickadee	<i>Poecile hudsonica</i>	None		Mixed woods
Blue-gray gnatcatcher	<i>Polioptila caerulea</i>	None		Chaparral
Bushtit	<i>Psaltriparus minimus</i>	None	✓	Woodlands, chaparral
Ruby-crowned Kinglet	<i>Regulus calendula</i>	None		Oak, riparian woodlands
Black Phoebe	<i>Sayornis nigricans</i>	None		Near water
Say's Phoebe	<i>Sayornis saya</i>	None		Open country, grassland
Allen's hummingbird	<i>Selasphorus sasin</i>	None		Riparian, chaparral and woodland
Western Bluebird	<i>Sialia mexicana</i>	None		Woodland near open areas

Althouse and Meade, Inc.

Common Name	Scientific Name	Special Status	Found on the Parcel	Habitat Type
White-breasted Nuthatch	<i>Sitta carolinensis</i>	None	✓	Oak woodland, savannah
Western Meadowlark	<i>Sturnella neglecta</i>	None		Open habitats, grasslands
European Starling	<i>Sturnus vulgaris</i>	None	✓	Agricultural, livestock areas
Violet-green Swallow	<i>Tachycineta thalassina</i>	None		Oak, riparian woodlands; open areas near water
Bewick's Wren	<i>Thryomanes bewickii</i>	None		Riparian woodland, scrub
California Thrasher	<i>Toxostoma redivivum</i>	None		Chaparral, coastal scrub
House Wren	<i>Troglodytes aedon</i>	None		Shrubby areas
American Robin	<i>Turdus migratorius</i>	None		Streamsides, woodlands
Western Kingbird	<i>Tyrannus verticalis</i>	None		Grasslands, savanna
Barn Owl	<i>Tyto alba</i>	None		Agricultural, woodlands
Orange-crowned Warbler	<i>Vermivora celata</i>	None		Oak, riparian woodlands
Warbling Vireo	<i>Vireo gilvus</i>	None		Oak, riparian woodlands
Hutton's Vireo	<i>Vireo huttonii</i>	None		Oak, riparian woodlands
Wilson's Warbler	<i>Wilsonia pusilla</i>	None		Oak, riparian woodlands
Mourning Dove	<i>Zenaidura macroura</i>	None	✓	Open and semi-open habitats
Golden-crowned Sparrow	<i>Zonotrichia atricapilla</i>	None		Dense woodlands, brushy areas
White-crowned Sparrow	<i>Zonotrichia leucophrys</i>	None		Oak, riparian woodlands
Mammals – 19 species				
Coyote	<i>Canis latrans</i>	None		Open woodlands, brushy areas, wide ranging.
Opossum	<i>Didelphis marsupialis</i>	None		Woodlands, streams
Feral Cat	<i>Felis catus</i>	None		Varied
Black-tailed Jackrabbit	<i>Lepus californicus</i>	None		Grasslands and shrubby areas
Striped Skunk	<i>Mephitis mephitis</i>	None		Mixed woods, brush, semi-open country
California Vole	<i>Microtus californicus</i>	None		Grassland meadows
Long-tailed Weasel	<i>Mustela frenata</i>	None		Grasslands
California Myotis	<i>Myotis californicus</i>	None		Tunnels, hollow trees, buildings, bridges.
Dusky-footed Woodrat	<i>Neotoma macrotis</i>	None		Oak, riparian woodlands, chaparral
Mule Deer	<i>Odocoileus hemionus</i>	None		Many habitats

Common Name	Scientific Name	Special Status	Found on the Parcel	Habitat Type
Deer Mouse	<i>Peromyscus maniculatus</i>	None		All dry land habitats
Raccoon	<i>Procyon lotor</i>	None		Streams, lakes, rock cliffs, dens in trees
Western Harvest Mouse	<i>Reithrodontomys megalotis</i>	None		Grassland, dense vegetation near water
California Ground Squirrel	<i>Spermophilus beecheyi</i>	None	✓	Grasslands
Desert Cottontail	<i>Sylvilagus audubonii</i>	None		Brushy habitats
American Badger	<i>Taxidea taxus</i>	SSC		Friable soils with abundant ground squirrel prey
Valley Pocket Gopher	<i>Thomomys bottae</i>	None		Variety of habitats
Red Fox	<i>Vulpes fulva</i>	None		Forest and open country
San Joaquin Kit Fox	<i>Vulpes macrotis mutica</i>	FE		Annual grassland

3.5 Special Status Plants and Animals

We reviewed records of special status species reported from the USGS quadrangle that contains the Study Area, as well as three surrounding quadrangles. The search area includes the following four USGS 7.5 minute quadrangles: Paso Robles, San Miguel, Estrella, and Templeton.

Habitat conditions are suitable for 4 special status plant species. Appropriate habitat conditions are present on the Property for 4 special status animals. No special status plants or animals were identified in the Study Area.

Two additional bird species on the CDFG Special Animals List (CDFG January 2011) that are not listed as Species of Special Concern were observed in the Study Area: yellow-billed magpie and Nuttall's woodpecker. Both species likely nest in oak trees within the study area, and would be protected from impacts by pre-construction nesting bird surveys when work is conducted near oak trees during the nesting season.

The Study Area is immediately adjacent to, but outside, the currently mapped critical habitat area for the federally threatened vernal pool fairy shrimp (*Branchinecta lynchi*). Suitable ephemeral pool habitat is not present in the Study Area and potential development on tentative new Parcel 1 would not affect fairy shrimp or fairy shrimp critical habitat.

Figure 3 depicts the current GIS data for special status species and critical habitat mapped in the vicinity of the Study Area by the CNDDB and USFWS.

3.5.1 Special status plants discussion

Four special status plant species could potentially occur in the Study Area based on an analysis of known ecological requirements of these species and the habitat conditions that were observed in July 2011. We discuss each species and describe habitat, range

restrictions, known occurrences, and survey results for the Parcel. No special status plants occur on the parcel.

- A. **Salinas Milk-vetch** (*Astragalus macrodon*) is a CNPS List 4.3 species with a range that extends from San Benito County south to San Luis Obispo County and east to Kern County. It is uncommon in most areas but occurs regularly in appropriate soil conditions. It usually occurs on sandstone, pale shales, or serpentinite soils in grassland, chaparral, and cismontane woodland habitats. *A. macrodon* is distinguished from the more common Douglas's milkvetch (*A. douglasii*) by its purple to red leaflet margins and midribs, wavy to incurled hairs on fruits and leaves, and 29 to 52 seeds per fruit. Salinas milk-vetch in the Paso Robles area is documented by numerous voucher specimens (Hoover 1970; Consortium of California Herbaria 2010). Althouse and Meade, Inc. observed this species in vegetative condition in Kiler Canyon approximately 3.7 miles southwest of the Parcel in 2005. Botanical surveys conducted in July 2011 determined this species does not occur in the Study Area.
- B. **San Luis Obispo Owl's-clover** (*Castilleja densiflora* ssp. *obispoensis*) is a CNPS List 1B.2 subspecies endemic to San Luis Obispo County. It is an annual wildflower with white flowers and flower bracts that occurs in coastal grasslands in sandy or clay soils, blooming primarily during the month of April. Three subspecies of *Castilleja densiflora* occur in San Luis Obispo County; only the white form, San Luis Obispo owl's-clover, is considered rare. It is not generally known from inland areas, where purple owl's-clover is more common (*Castilleja densiflora* ssp. *densiflora* and *C. densiflora* ssp. *gracilis*), however there are reports from the Paso Robles region (CNDDDB Occurrences 36, 37 and 42).

The closest reported occurrence is from immediately north of the Parcel near the intersection of Airport Road and Dry Creek Road (CNDDDB 42). The agricultural area of the Parcel is not suitable for this species. Moderate to low potential habitat is present in grassy areas near Huerhuero Creek, outside potential development areas. Botanical surveys in July 2011 were too late in the season to detect this species, however due to lack of suitable habitat conditions in potential project areas this species would not be affected by development.

- C. **Paso Robles Navarretia** (*Navarretia jaredii*) is a CNPS List 4.3 species endemic to Monterey and San Luis Obispo Counties. Paso Robles navarretia is distinguished from other *Navarretia* species by strap-shaped calyx ribs wider at base than membranes, axis of upper leaves and bracts wider above middle, central stem shorter than or equal in length to branches, with axis white-hairy. It grows in a variety of soils in areas with little competition from annual grasses. This taxon, *N. jaredii*, is currently under revision and is likely genetically identical to *Navarretia mitracarpa*, which is presently considered a synonym of *N. pubescens* (D. Keil pers. comm. 2010; Johnson 2007). Johnson's taxonomic recommendation is to elevate *N. mitracarpa* to full species, and consider *N. jaredii* a synonym. This recommendation has been accepted in the proposed key for the second edition of the Jepson Manual (in press; preliminary keys available at <http://ucjeps.berkeley.edu/jepsonmanual/review/>). Revision of the taxonomy

for this genus could result in inclusion of the currently recognized *Navarretia jaredii* as part of a much more common taxon that does not meet criteria to remain on CNPS List 4. This species is common in foothills west of Paso Robles and has been observed south of the Study Area (Althouse and Meade, Inc. 2005; 2009; 2011). Botanical surveys conducted in July 2011 when the species was observed blooming on a reference site in the Paso Robles region determined this species is not present in the Study Area.

- D. Shining Navarretia** (*Navarretia nigelliformis* ssp. *radians*) is a CNPS List 1B.2 species known from Fresno, Merced, Monterey, San Benito, and San Luis Obispo Counties. Shining navarretia is distinguished from other *Navarretia* species by strap-shaped calyx ribs wider at base than membranes, axis of upper leaves and bracts not wider above middle, yellow corolla lobes and spotted corolla throat, a white-hairy inflorescence, 5 corolla lobes, a corolla 9 to 11 millimeters in length and grey green herbage. Shining navarretia is the only species of *Navarretia* in San Luis Obispo County with a yellow flower. Shining navarretia reportedly grows in vernal pools, valley and foothill grassland, and cismontane woodland habitats. Recent reports from the Paso Robles area have not yet been included in the CNDDDB, but the species has been observed in eastern Paso Robles in 2006, 2007, 2008, and 2011 from locations 0.25 mile northwest and 1.25 miles south of the Study Area (Dart collections 237, 279, 281, 317; Althouse collection 544; Althouse and Meade, Inc. unpublished field notes 2011). Botanical surveys conducted in June 2011 when the species was observed blooming on a reference site in the Paso Robles region did not detect shining navarretia in the Study Area.

3.5.2 *Special status wildlife discussion*

Four special status animal species could potentially occur in the Study Area. We discuss each species and describe habitat, range restrictions, known occurrences, and survey results.

- A. 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. The closest reported occurrence is from Fern Canyon, approximately four miles southwest of the Property (L. Hunt, pers. comm. 2009). Legless lizards are also reported from the Salinas River at Paso Robles (California Academy of Sciences 196258), Atascadero (CNDDDB 49), and from the vicinity of Lake Nacimiento (CNDDDB 43). The loamy soils in oak woodlands in the Study Area are adequate for silvery legless lizard. Silvery legless lizard was not identified on the in the Study Area in 2011 but could occur in leaf litter beneath oak trees at the north end. Development in agricultural areas of the Study Area would not affect this species.
- B. Golden Eagle** (*Aquila chrysaetos*) is designated a Fully Protected species by the CDFG, and protected by the federal Bald and Golden Eagle Act. Golden eagles require large trees for nesting and open hunting grounds with abundant prey. Golden eagles were documented nesting approximately 1000 feet northwest of the Study Area from 2006 through the present (CNDDDB 122). No eagle nests are present in the

Study Area. Golden eagles could potentially forage in agricultural areas of the Study Area.

- C. American Badger (*Taxidea taxus*)** is a California Species of Special Concern known from open grassland habitats throughout San Luis Obispo County and elsewhere in California. They are generally uncommon in the Paso Robles region. Badgers are typically residents of grassland areas, but also forage in croplands on occasion in areas where California ground squirrels have become established. Moderate to low quality habitat is present in the Study Area. Badgers do not presently occupy the site and would be very unlikely to be present.
- D. 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 to the southeast, and from Fort Hunter Liggett (Monterey County) to the northwest, and were reported from Camp Roberts in the 1990s, with the last report from that location in 2003. CDFG believes that transient individuals moved between the Carrizo Plains and Camp Roberts populations. The Study Area is within the movement corridor between Camp Roberts and Carrizo Plains. Disturbed agricultural land in the Study Area provides moderate to low quality habitat for San Joaquin kit fox. Development on the tentative new Parcel 1 will permanently remove habitat for San Joaquin kit fox. The closest reported occurrence of San Joaquin Kit Fox is from approximately 0.75 miles south of the Parcel in 1991 (CNDDDB 941). The Study Area is within the 3 to 1 mitigation ratio area.

4.0 Discussion

The Study Area is comprised of disturbed agricultural land and blue oak woodlands. The agricultural land occupies the flat terrace where potential development would occur. Development on the tentative new Parcel 1 would require mitigation for the loss of kit fox habitat at a 3 to 1 ratio. Although we identify portions of the Study Area as potentially suitable for American badger, we feel the potential for occurrence is so low that impacts are unlikely and no pre-construction surveys are recommended. If the Project is constructed during the nesting season (March 15 through August 15), we recommend pre-construction nesting bird surveys prior to vegetation removal. Nests of common bird species should be avoided and protected with a 100-foot setback until chicks have fledged.

5.0 Figures

- **Figure 1. Aerial Photograph**
- **Figure 2. Topographic Map**
- **Figure 3. CNDDDB Map**
- **Tentative Lot Line Adjustment Map PRAL 11-0081**

Figure 1. Aerial Photograph



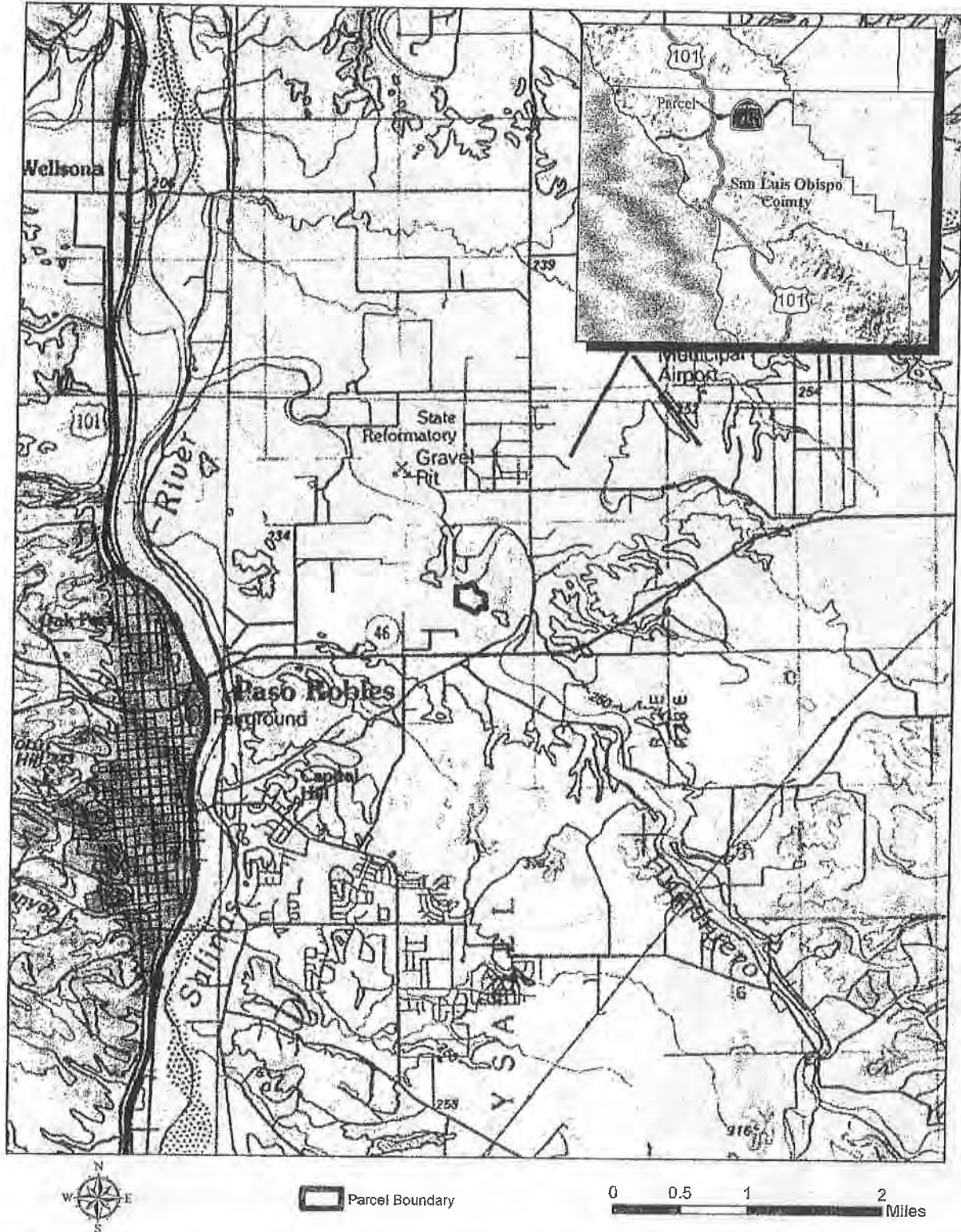
**Erskine
Golden Hill Industrial Park**

2009 NAIP Photography
San Luis Obispo County
Map Updated August 8, 2011



Althouse and Meade, Inc.
1602 Spring Street
Paso Robles, CA 93446

Figure 2. Topographic Map



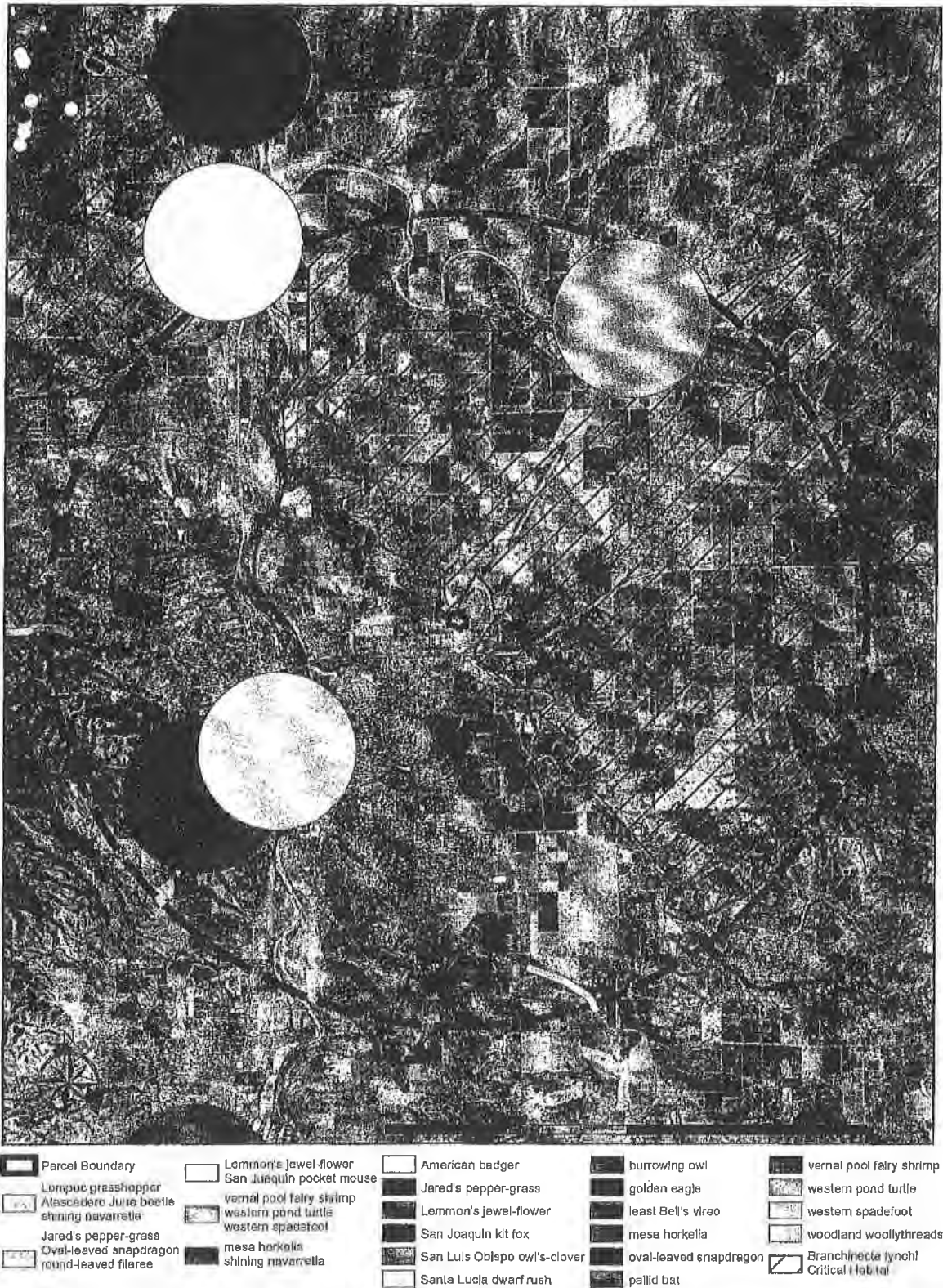
**Erskine
Golden Hill Industrial Park**

USGS Topographic Map
Map Updated August 8, 2011



Althouse and Meade, Inc.
1602 Spring Street
Paso Robles, CA 93446

Figure 3. CNDDDB Map

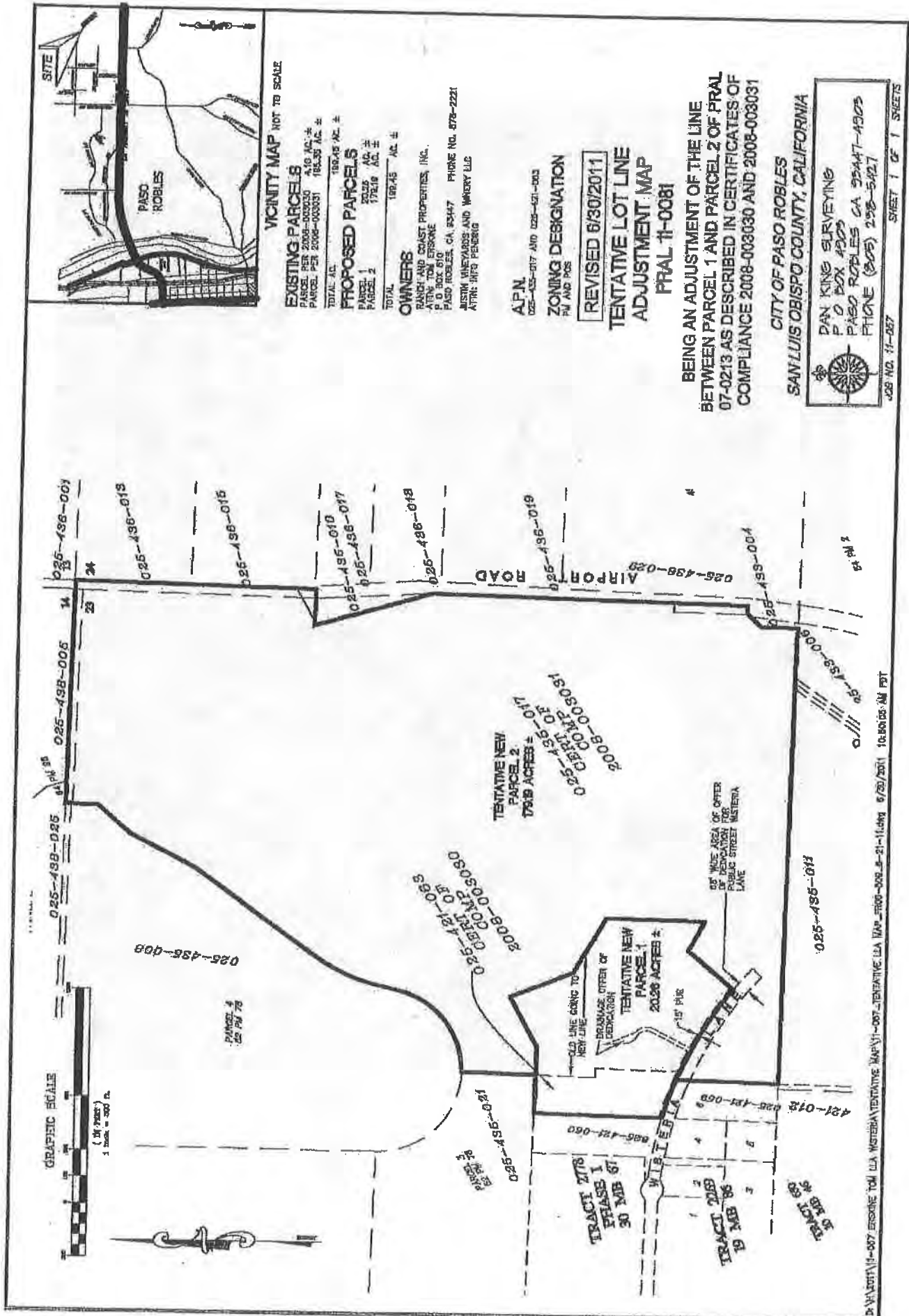


Erskine
Golden Hill Industrial Park

2009 NAIP Photography
San Luis Obispo County
Map Updated August 8, 2011



Althouse and Meade, Inc.
1602 Spring Street
Paso Robles, CA 93446



VICINITY MAP NOT TO SCALE

EXISTING PARCELS

PARCEL PER 2008-003030 4.10 AC. ±
 PARCEL PER 2008-003031 184.39 AC. ±

PROPOSED PARCELS

PARCEL 1 23.26 AC. ±
 PARCEL 2 178.19 AC. ±

TOTAL 198.45 AC. ±

OWNERS

RANCH AND COAST PROPERTIES, INC.
 ATTN: TOM ERSKINE
 P. O. BOX 610

PASO ROBLES, CA 92347 PHONE NO. 878-2221
 JUSTIN VANCELOS AND WERRY LLC
 ATTN: INFO PENDING

APN 025-438-017 AND 025-438-019

ZONING DESIGNATION R1 AND R2S

REVISED 6/30/2011

TENTATIVE LOT LINE

ADJUSTMENT MAP

PRAL 11-0081

BEING AN ADJUSTMENT OF THE LINE BETWEEN PARCEL 1 AND PARCEL 2 OF PRAL 07-0213 AS DESCRIBED IN CERTIFICATES OF COMPLIANCE 2008-003030 AND 2008-003031

CITY OF PASO ROBLES
 SAN LUIS OBISPO COUNTY, CALIFORNIA

DAN KING SURVEYING
 P O BOX 1905
 PASO ROBLES CA 92347-1905
 PHONE (805) 298-5421

JOB NO. 11-087 SHEET 1 OF 1 SHEETS

GRAPHIC SCALE
 1 inch = 200 ft.

DATE: 07/11/11 11:07 AM DRAWN BY: JVA METERED TENTATIVE MAP(V)-007-TENTATIVE LLA MAP-5008-008-2-21-11.dwg 6/30/2011 10:50:55 AM PST

Biological Report

for

Wisteria Lane Project

General Plan Amendment and Vesting Tentative Tract Map

Paso Robles, California



Prepared by

ALTHOUSE AND MEADE, INC.
BIOLOGICAL AND ENVIRONMENTAL SERVICES

1602 Spring Street
Paso Robles, CA 93446
(805) 237-9626

August 2014

(Minor revisions 4-14-2016)

Table of Contents

Synopsis	
1.0 Introduction.....	1
1.1 Project Location.....	1
1.2 Project Description	1
1.3 Responsible Parties.....	2
2.0 Methods.....	2
3.0 Existing Conditions.....	4
3.1 Environmental Setting.....	4
3.2 Soils	4
4.0 Special Status Species.....	7
4.1 Introduction to California Rare Plant Ranks (Formerly CNPS Lists).....	7
4.2 Introduction to CNDDDB Definitions	8
4.3 Potential Special Status Plant List	8
4.4 Special Status Plants Discussion	16
4.5 Potential Special Status Animals List.....	17
4.6 Special Status Animals Discussion.....	23
4.7 Special Status Species Not Expected to Occur.....	26
4.8 Potential Sensitive Natural Communities.....	27
5.0 Habitat Types.....	27
5.1 Cropland	27
5.2 Oak Woodland and Oak Savannah.....	27
5.3 Riparian	28
6.0 Botanical Inventory.....	29
6.1 Botanical Survey Results.....	29
7.0 Wildlife Inventory.....	32
7.1 Wildlife Survey Results.....	32
8.0 Project Overview	36
8.1 General Discussion	36
8.2 Regulatory Framework	36
8.2.1 CEQA guidance	36
8.2.2 Federal and state resource protections	37

Agenda Item 3

Althouse and Meade, Inc. – 789.02

9.0	Potential Impacts to Biological Resources	37
9.1	Potential Habitat Impacts.....	37
9.1.1	Cropland.....	37
9.1.2	Oak woodland	38
9.1.3	Oak savannah	38
9.1.4	Ephemeral drainage	38
9.1.5	Riparian.....	38
9.2	Potential Impacts to Oak Trees.....	38
9.3	Potential Impacts to Nesting Birds	38
9.4	Potential Impacts to Special Status Species	39
9.4.1	Special status plants	39
9.4.2	Silvery legless lizard	39
9.4.3	Special status birds.....	39
9.4.4	American badger.....	39
9.4.5	Bats	39
9.4.6	San Joaquin kit fox.....	39
10.0	Recommendations and Mitigations	40
10.1	Habitats.....	40
10.1.1	Cropland.....	40
10.1.2	Oak woodland	40
10.2	Individual Oak Tree Impacts.....	40
10.3	Nesting Birds.....	41
10.4	Avoidance, Minimization, and Mitigation for Special Status Species.....	42
10.4.1	Special status plants	42
10.4.2	Silvery legless lizard.....	42
10.4.3	Special status birds.....	42
10.4.4	American badger.....	43
10.4.5	Bats	43
10.4.6	San Joaquin kit fox.....	44
11.0	References	49
12.0	Photographs	52
13.0	Figures	53

Tables

TABLE 1. RESPONSIBLE PARTIES..... 2
TABLE 2. BIOLOGICAL SURVEYS..... 3
TABLE 3. SPECIAL STATUS PLANT LIST..... 9
TABLE 4. SPECIAL STATUS ANIMAL LIST..... 18
TABLE 5. SENSITIVE NATURAL COMMUNITIES..... 27
TABLE 6. HABITAT DATA..... 27
TABLE 7. VASCULAR PLANT LIST..... 29
TABLE 8. WILDLIFE LIST..... 33

Figures

FIGURE 1. USGS TOPOGRAPHIC MAP..... 54
FIGURE 2. AERIAL PHOTOGRAPH..... 55
FIGURE 3. USDA SOIL MAP UNITS..... 56
FIGURE 4. CNDDDB AND USFWS CRITICAL HABITAT MAP..... 57
FIGURE 5. HABITAT MAP..... 58

Synopsis

- This Biological Report examines a 218-acre Study Area on a property located at Wisteria Lane, Paso Robles, California.
- The Applicant proposes development of an access road and lots for commercial use.
- Habitat types identified and mapped in the Study Area consist of cropland, oak woodland, oak savannah and riparian.
- Botanical surveys conducted in January, February, April, and May 2014 identified 102 species, subspecies, and varieties of vascular plants in the Study Area. Appropriate habitat and soil conditions are present for five special status plant species. Special status plant species were not detected in the Study Area in 2014.
- Wildlife species detected in the Study Area include 41 birds and 3 mammals. Appropriate habitat conditions are present in the Study Area for 16 special status animals. No state or federally listed animals have been detected in the Study Area.

1.0 Introduction

This report provides information regarding biological resources associated with an approximately 218-acre site (Study Area) in San Luis Obispo County. The Study Area consists of seven Assessor's parcels (APN 025-421-081, 025-421-082, 025-421-083, 025-421-084, 025-435-029, 025-435-030, 025-435-031) located at the eastern terminus of Wisteria Lane in Paso Robles. Results are reported for botanical and wildlife surveys of the Study Area conducted in January, February, April, and May 2014. A habitat inventory and results of database and literature searches of special status species reports within a seven 7.5-minute quadrangle search area of the Study Area are also included. Special status species that could occur in the Study Area or be affected by the proposed project are discussed, and lists of plant and animal species that were identified or are expected in the Study Area are provided.

We provide agencies and stakeholders with information regarding biological resources in the Study Area, and assess potential impacts to biological resources that could occur from the proposed project. An evaluation of the effect of the proposed project on biological resources is included, and mitigation measures are provided.

1.1 Project Location

The Study Area is located between Wisteria Lane, Paso Robles Boulevard, and Airport Road in the City of Paso Robles, San Luis Obispo County, California (Figures 1 and 2). The Study Area is approximately 218 acres in size, comprised of all or portions of seven parcels. Huerhuero Creek borders the Study Area to the northwest, bisects the northeast corner, and borders the Study Area on the east and southeast. Airport Road forms the northeast boundary of the Study Area and runs adjacent to Huerhuero Creek on the east. Paso Robles Boulevard borders the Study Area to the south. The Study Area is within Township 26S, Range 12E, Section 23. Approximate coordinates for the Study Area are N35° 39' 03" / W120° 38' 38" (WGS 84) in the Paso Robles United States Geological Survey (USGS) 7.5' topographic quad. The elevation ranges from approximately 720 to 840 feet above sea level.

1.2 Project Description

The proposed action is a General Plan Amendment and Vesting Tentative Tract Map. The proposal is to subdivide three existing parcels, APNs 025-435-029, 030, 031, into 17 lots. The application is also for a General Plan Amendment to rezone the parcels in the proposed subdivision and also for three lots located on Tract 2778. The application includes subdividing 3 existing parcels on Wisteria Lane to create 17 proposed lots. Lot sizes range from two to seven acres. No specific plans for use of the building site have been proposed at this time.

1.3 Responsible Parties

TABLE 1. RESPONSIBLE PARTIES. Applicant, biological consultant, applicant’s agent, property owner and lead agency are provided.

Applicant’s Agent	Biological Consultant
<p>Kirk Consulting 8830 Morro Road Atascadero, CA 93423</p> <p>Contact: Jamie Kirk 805-461-5765</p>	<p>Althouse and Meade, Inc. 1602 Spring Street Paso Robles, CA 93446</p> <p>Contact: LynneDee Althouse (805) 237-9626</p>
Lead Agency	Property Owner
<p>City of El Paso de Robles Community Development Department Planning Division 1000 Spring Street Paso Robles, CA 93446 (805) 237-3970</p>	<p>Ranch and Coast Properties Inc. and Erskine Prop. Trust PO Box 510 Paso Robles, CA 93447</p>

2.0 Methods

The Study Area was surveyed for biological resources on January 22, February 26, April 17, and May 20, 22, and 28, 2014. Althouse and Meade (A&M) Principal Scientists LynneDee Althouse and Dan Meade, and A&M Biologists Kyle Weichert, Curtis Brumit, and Jessica Griffiths conducted the surveys. Biological surveys were conducted on foot in order to compile species lists, to search for special status plants and animals, to map habitats, and to photograph the Study Area. The entire Study Area was surveyed.

Each habitat type occurring in the Study Area was inspected, described, and catalogued (Section 5.0). All plant and animal species observed in the Study Area were identified and recorded (Sections 6 and 7). Vegetation surveys consisted of meandering transects with an emphasis on locating habitat appropriate for special status plants. Transects were utilized to map boundaries of different vegetation types, describe general conditions and dominant species, compile species lists, and evaluate potential habitat for special status species.

Identification of botanical resources included field observations and laboratory analysis of collected material (Table 7). Botanical surveys were conducted in January, February, April and May 2014. Botanical nomenclature used in this document follows the Jepson Manual, Second Edition (Baldwin et al. 2012).

Wildlife documentation included observations of animal presence, nests, tracks, and other wildlife sign. Observations of wildlife were recorded during the field survey in all areas of the Study Area (Table 8). Birds were identified by sight or by vocalizations.

Maps were created by using data from the California Natural Diversity Database (CNDDDB) and overlaid on a 2012 NAIP aerial of San Luis Obispo County (USDA 2012).

Agenda Item 3

Althouse and Meade, Inc. – 789.02

We conducted a search of the CNDDDB (February 20, 2014 data) and the California Native Plant Society (CNPS) On-line Inventory of Rare and Endangered Plants of California for special status species known to occur in nine USGS 7.5-minute quadrangles surrounding the Study Area: Bradley, San Miguel, Ranchito Canyon, Adelaida, Paso Robles, Estrella, York Mountain, Templeton, and Creston.

Special status species lists produced by database and literature searches were cross-referenced with described habitat types to identify all potential special status species that could occur on or near the Study Area. Each special status species that could occur on or near the Study Area is individually discussed (refer to Sections 4.5 and 4.7).

TABLE 2. BIOLOGICAL SURVEYS. Biological survey dates, times, weather observations, and A&M Biologist(s) are provided.

Survey Date	Start Time Stop Time	Temp.	Wind	Weather Observations	Biologist(s)
1/22/2014	830-1830	58-70	0-10 mph	Clear	C. Brumit
2/26/2014	900-1200	55-60	5-15 mph	Cloudy	C. Brumit
4/17/2014	1200-1700	60-70	5-10 mph	Clear	LD. Althouse D. Meade
4/20/2014	645-1045	55-65	0 mph	Overcast, brief shower	J. Griffiths
4/28/2014	715-845	65-70	0-5 mph	Mostly sunny	J. Griffiths
4/29/2014	845-1130	75-85	0-5 mph	Clear	D. Meade
5/1/2014	830-1230	75-95	0 mph	Hot, clear	D. Meade
5/22/2014	840-1115	50-60	0 mph	Overcast, cool	K. Weichert

3.0 Existing Conditions

3.1 Environmental Setting

The Study Area is located at the eastern terminus of Wisteria Lane in Paso Robles. Huerhuero Creek forms the northern and southeastern boundary of the Study Area, Airport Road forms the northeastern boundary, and Paso Robles Road borders it to the south. The Study Area is 218 acres, approximately 166 acres of which are cropland growing dry-farmed barley (*Hordeum vulgare*). Not all of the cropland is in production in any given year, but all of the cropland is plowed at least twice a year. The cropland is dotted with mature blue oak (*Quercus douglasii*) and valley oak (*Quercus lobata*). The portions of the cropland not in production are often grazed by cattle.

Near the center of the western boundary of the Study Area, there is an approximately 15-acre stand of oak woodland, comprised primarily of blue oaks with some coast live oaks. This oak woodland encompasses two ephemeral drainages that carry storm flow north into Huerhuero Creek. There is another strip of oak woodland on the north side of the Study Area which follows the contour of the creek, and several other stands of blue and valley oak trees scattered along the eastern side of the property on the east-facing slope of a ridge that runs the length of the property from north to south. Along this east-facing slope and between the small patches of oak woodland there is oak savannah, where annual grassland is dotted with oak trees.

Huerhuero Creek has seasonal flows in high rain fall years, and was dry during all site visits in 2014. The creek bed is wide, flat, and sandy, with low banks in most places. There are several large mature cottonwood trees in the portion of the creek channel which runs along the northwest boundary of the Study Area. There are many stumps along the creek channel from mature cottonwood trees that were recently cut down. Shrub cover occurs sparsely along the south banks in the northern portion of the property consisting of coyote bush, skunkbush, poison oak, and arroyo willow. Approximately 3.8 river miles downstream from the Study Area, the creek converges with the Salinas River.

Ranch roads cross the Study Area, connecting Wisteria Lane on the west side with Paso Robles Boulevard on the south and Airport Road on the east. Northeast of the large oak woodland there is a dirt clearing where trailers, trucks, and other equipment is stored. Northeast of this area is a small horse corral. There is a water tank on the hilltop south of the equipment clearing and horse corral.

The property to the northwest of the Study Area on the other side of Huerhuero Creek is currently being transformed into a horse event center with open pastures. Across the creek to the north and east, the Study Area is bordered by agricultural land. Paso Robles Municipal Airport is located half a mile to the northeast and light aircraft fly low over the Study Area during takeoff and landing. Ravine Waterpark is across the creek to the southeast, and to the south is a piece of private property which is being filled in above floodplain level. Commercial property borders the Study Area to the west.

3.2 Soils

The United States Department of Agriculture (USDA) SSURGO data (2007) and Soil Survey of San Luis Obispo County, California, Coastal Part (1984) and USDA SSURGO Data (Tabular data version 4, Spatial data version 1, 2008) delineate ten soil map units that intersect the Study

Area boundaries (Figure 3). The Study Area is mapped as primarily Arbuckle-San Ysidro complex (106), Arbuckle fine sandy loam (100), and Hanford and Greenfield gravelly sandy loam (149 and 150), with patches of Arbuckle-Positas complex (104 and 105), Elder loam (140), Metz loamy sand (166), Metz-Tujunga complex (167), and Xerofluvents-Riverwash association (212).

The soil survey was not meant to be applied at the acre-scale, but does indicate the soil map units in the vicinity of small properties. Below we discuss the details and properties of the soil types found in the Study Area (in order of area delineated in the Study Area).

Soil map units typically encompass one or two dominant soils that cover more than 50 percent of the mapped area, and one to several soils that occur in small patches not differentiated in mapping at the 1 to 24,000 scale used for NRCS soil maps. Due to the procedures followed in making a soil survey, users of soil survey data are cautioned that not all areas included within a soil survey are closely sampled using soil pits and site descriptions, and a specific site may not have been sampled at all. Therefore, care must be taken in drawing conclusions regarding site-specific soil resources based solely on NRCS soil survey work. Digitized spatial data from the Coastal Part Soil Survey are shown as an overlay of soil map units on an aerial photo of the region with the following caution from NRCS regarding maps: “Enlargement of these maps...could cause misunderstanding of the detail of mapping. If enlarged, maps do not show the small areas of contrasting soils that could have been shown at a larger scale.”

Arbuckle-San Ysidro complex, 2 to 9 percent slopes (106) is one of the dominant soil types and underlies the central portion of the grassland in the Study Area. It consists of approximately 40 percent Arbuckle fine sandy loam and 20 percent San Ysidro loam. Also included in this map unit are areas of Greenfield fine sandy loam, Hanford fine sandy loam, Cropley clay, Rincon clay loam, and Ryer clay loam. Arbuckle soil is a very deep, well-drained soil with a moderately slow permeability and a moderate to high available water capacity. San Ysidro soil is a very deep, moderately well drained soil with a very slow permeability and a moderate to high available water capacity. Both soils are derived from mixed rock alluvium. This complex is in capability units IIe-1 (14) irrigated, and IVe-1 (14) non-irrigated.

Arbuckle fine sandy loam, 0 to 2 percent slopes (100) underlies the southeastern third of the annual grassland in the Study Area, and is one of the dominant soil types. It is a very deep, nearly level, well-drained soil formed in alluvium derived from mixed rocks. Permeability of Arbuckle soils is moderately slow, and available water capacity is moderate to high. Surface runoff is slow and hazard of erosion is slight due to the gentle slopes. Included in this map unit are other mixed soil series and inclusions. This soil type has no limitations or hazards for farming and for building sites, roads, and streets. This Arbuckle soil is in soil capability class 1 irrigated and 4c non-irrigated.

Hanford and Greenfield gravelly sandy loams, 2 to 9 percent slopes (150) and 0 to 2 percent slopes (149) differ only in slope steepness. The Hanford and Greenfield gravelly and sandy loams with 2 to 9 percent slopes is one of the dominant soil types in the Study Area and underlies the northern third of the annual grassland in the Study Area, south of Huerhuero Creek. The Hanford and Greenfield gravelly and sandy loams with 0 to 2 percent slopes underlie a small portion of the Study Area along Paso Robles Boulevard. This complex consists of 40 percent Hanford gravelly sandy loam and 30 percent Greenfield gravelly sandy loam. Also included in this map unit are areas of Arbuckle fine sandy loam, San Ysidro loam, Cropley clay, Metz loamy

sand, Pico fine sandy loam, Rincon clay loam, and Tujunga fine sand. Both Hanford and Greenfield soils are derived from mixed rock alluvium, and are very deep and well drained soils. They both have a moderately rapid permeability, and a low to moderate available water capacity with a moderate erosion hazard. This complex is placed in capability units IIe-4 (14) irrigated, and IVe-4 (14) non-irrigated. This rating means that this soil type has moderate to very severe limitations for field crops (II, IV). These limitations are due to high erosion hazard (e), and sandy or gravelly textures that have low available water-holding capacity (4).

Arbuckle-Positas complex, 30 to 50 percent slopes (104) and 50 to 75 percent slopes (105) differ only in slope steepness. The Arbuckle-Positas complex with 30 to 50 percent slopes consists of steep soils that underlie between Huerhuero Creek and the central annual grassland. The Arbuckle-Positas complex with 50 to 75 percent slopes occurs under the oak woodland and ephemeral drainages between the winery and the creek. These Arbuckle-Positas complexes consist of approximately 40 percent Arbuckle fine sandy loam and 30 percent Positas coarse sandy loam, along with other mixed soil series and inclusions. Arbuckle soil is a very deep, well-drained soil with moderately slow permeability and moderate to high available water capacity. Positas soil is a very deep, well-drained soil with very slow permeability and moderate to high available water capacity. Both soils formed in alluvium derived from mixed rocks, and for both soils surface runoff is rapid and hazard of erosion is high. Erosion can be controlled by maintaining plant residue on the soil surface.

Metz loamy sand, 0 to 5 percent slopes (166) is found adjacent to Huerhuero Creek in the north and east parts of the Study Area. It is a very deep, nearly level to gently sloping somewhat excessively drained soil formed in alluvial fans or floodplains derived from mixed rocks. Flooding can occur rarely, although this soil does not typically hold standing water for long periods. Permeability is moderately rapid and available water capacity is low to moderate. Surface runoff is slow and hazard of erosion is slight. This soil has severe limitations for building sites, septic tank absorption fields, and roads and streets because of flood hazard. The land capability units are IIIs-4 (14) irrigated, and IVs-4 (14) non-irrigated. This rating means this soil type has severe to very severe limitations for field crops (III, IV). These limitations are because shallow, droughty, and stony soils (s), such as Metz, tend to have low available water holding capacity (4).

Xerofluents-Riverwash association (212) covers a small portion of the property and underlies Huerhuero Creek and its floodplain. The complex includes unnamed soils and barren areas on floodplains and consists of approximately 50 percent xerofluents and 30 percent riverwash, along with small areas of Elder loam, Metz loamy sand, and Tujunga fine sand. Xerofluents occur on the flood plains and generally flood twice every four years. Riverwash occurs in barren areas in and along stream channels, flooding annually. Permeability is variable and available water holding capacity is very low. Surface runoff is medium, and erosion hazard is very high. The land capability unit for this map unit is VIIIw (14), meaning these soils are not suited for crop production or building and are best left undisturbed.

Elder loam, flooded, 0 to 5 percent slopes (140) is located on the floodplain of Huerhuero Creek and covers a small portion of the total property. This very deep, moderately permeable soil formed in mixed rock alluvium. Surface runoff is slow, and erosion hazard is slight. This soil has severe limitations for buildings and roads due to the flood hazard. Elder soils used for these purposes need to be protected from flooding. Elder loam has a land capability class rating of IIw-2 (14) irrigated, and IVw-2 (14) non-irrigated. This rating means this soil type has moderate to very severe limitations for field crops (II, IV). Water in or on the soil interferes with plant growth (w) because the soil is either poorly drained or periodically flooded (2).

Metz-Tujunga complex, occasionally flooded, 0 to 5 percent slopes (167) underlies a small portion of the Study Area adjacent to Huerhuero Creek and just north of Highway 46. It is a very deep, nearly level to gently sloping, somewhat excessively drained soil formed in alluvial fans or floodplains derived from mixed rocks. Flooding occurs about twice every ten years. Permeability is moderately rapid and available water capacity is low to moderate. Surface runoff is slow and hazard of erosion is slight. This complex consists of about 40 percent Metz loamy sand and 35 percent Tujunga fine sand. Included with these soils are other sandy and loamy soils. The land capability class rating for this soil map unit is IVw-4 non-irrigated.

4.0 Special Status Species

The CNDDDB and the CNPS On-line Inventory of Rare and Endangered Plants of California contain records for 74 special status species and one sensitive natural community within the designated search area. The search area includes the following nine USGS 7.5-minute quadrangles that include and surround the Study Area: Bradley, San Miguel, Ranchito Canyon, Adelaida, Paso Robles, Estrella, York Mountain, Templeton, and Creston. Seven additional special status species were added to the list from our knowledge of the area. These species are marked with an asterisk (*). Because the search area is so large over varied terrain, species with very restricted habitat requirements far from the Study Area are often reported in the search results, but do not occur locally.

Appropriate habitat and soil conditions are present in the Study Area for 5 special status plants and 18 special status animals (Tables 3 and 4). No sensitive natural communities occur in the Study Area (Section 4.8). Figure 4 in Section 13.0 depict the current GIS data for special status species and critical habitat mapped in the vicinity of the Study Area by the CNDDDB and the U.S. Fish and Wildlife Service (USFWS). A Habitat Map indicating locations of habitat types and special status species detected on the Study Area in 2014 is provided in Section 11.0.

4.1 Introduction to California Rare Plant Ranks (Formerly CNPS Lists)

Plant species are considered rare when their distribution is confined to localized areas, when there is a threat to their habitat, when they are declining in abundance, or are threatened in a portion of their range. The California Rare Plant Rank (CRPR) categories range from species with a low threat (CRPR 4) to species that are presumed extinct (CRPR 1A). The plants of CRPR 1B are rare throughout their range. All but a few species are endemic to California. All of them are judged to be vulnerable under present circumstances, or to have a high potential for becoming vulnerable.

4.2 Introduction to CNDDDB Definitions

"Special Plants" is a broad term used to refer to all the plant taxa inventoried by the CNDDDB, regardless of their legal or protection status (CDFW April 2013). Special plants include vascular plants and high priority bryophytes (mosses, liverworts, and hornworts).

"Special Animals" is a general term that refers to all of the animal taxa inventoried by the CNDDDB, regardless of their legal or protection status (CDFG January 2011). The Special Animals list is also referred to by the California Department of Fish and Wildlife (CDFW), as the list of "species at risk" or "special status species". These taxa may be listed or proposed for listing under the California and/or Federal Endangered Species Acts, but they may also be species deemed biologically rare, restricted in range, declining in abundance, or otherwise vulnerable.

Each species included on the Special Animals list has a corresponding Global and State Rank (refer to Table 4). This ranking system utilizes a numbered hierarchy from one to five following the Global (G-rank) or State (S-rank) category. The threat level of the organism decreases with an increase in the rank number (1=Critically Imperiled, 5=Secure). In some cases where an uncertainty exists in the designation, a question mark (?) is placed after the rank. More information is available at www.natureserve.org.

Animals listed as California Species of Special Concern (SSC) may or may not be listed under California or Federal Endangered Species Acts. They are considered rare or declining in abundance in California. The Special Concern designation is intended to provide the Department of Fish and Wildlife, biologists, land planners and managers with lists of species that require special consideration during the planning process in order to avert continued population declines and potential costly listing under federal and state endangered species laws. For many species of birds, the primary emphasis is on the breeding population in California. For some species that do not breed in California but winter here, emphasis is on wintering range. The SSC designation thus may include a comment regarding the specific protection provided such as nesting or wintering.

Animals listed as Fully Protected are those species considered by CDFW as rare or faced with possible extinction. Most, but not all, have subsequently been listed under the California Endangered Species Act (CESA) or the Federal Endangered Species Act (FESA). Fully Protected species may not be taken or possessed at any time and no provision of the California Department of Fish and Game (CDFG) code authorizes the issuance of permits or licenses to take any Fully Protected species.

4.3 Potential Special Status Plant List

Table 3 lists 46 special status plant species reported from the region. Federal and California State status, global and State rank, and CNPS ranking status for each species are given. Typical blooming period, habitat preference, potential habitat on site, and whether or not the species was observed in the Study Area are also provided.

Agenda Item 3

Althouse and Meade, Inc. – 789.02

TABLE 3. SPECIAL STATUS PLANT LIST. Forty-six special status plant species reported from the vicinity of the Study Area or known from the region with potential to occur in Study Area are listed. Potentially suitable habitat is present in the Study Area for five special status plant species.

	Common Name <i>Scientific Name</i>	Fed/State Status Global/State CRPR Rank	Blooming Period	Habitat Preference	Potential Habitat?	Detected in Study Area?	Effect of Activity
1.	Douglas' Fiddleneck <i>Amsinckia douglasiana</i>	None/None G3/None 4.2	March – June	Unstable shaly sedimentary slopes; (100) 150–1600 m. SCoR, w WTR	No. Appropriate shaly soils are not present in the Study Area.	No	No Effect
2.	Oval-leaved Snapdragon <i>Antirrhinum ovatum</i>	None/None G3/None 4.2	May - November	Heavy, adobe-clay soils on gentle, open slopes, also disturbed areas; 200-1000 m. s SnJV, s SCoRI	No. Adobe-clay soils are not present in Study Area.	No	No Effect
3.	Hoover's Manzanita <i>Arctostaphylos hooveri</i>	None/None G3/None 4.3	February - April	Rocky slopes, upland chaparral, open ponderosa-pine forest near coast; 450-1100 m. SCoRO	No. Appropriate habitat is not present in Study Area.	No	No Effect
4.	Bishop Manzanita <i>Arctostaphylos obispoensis</i>	None/None G3?/None 4.3	February - March	Rocky, gen serpentine soils, chaparral, open close-cone forest near coast; 60-950 m; SCoRO	No. Appropriate habitat is not present in Study Area.	No	No Effect
5.	Indian Valley Spineflower <i>Aristocapsa insignis</i>	None/None G2?/None 1B.2	May - September	Foothill woodland; 300-600 m. SCoRI (Monterey, SLO Counties)	Yes. Woodland habitat with sandy soils is present in Study Area.	No	No Effect
6.	Salinas Milk-vetch <i>Astragalus macrodon</i>	None/None G3/None 4.3	April - July	Eroded pale shales or sandstone, or serpentine alluvium; 300-950 m. SCoR	No. Appropriate soils are not present in Study Area.	No	No Effect
7.	Round-leaved Filaree <i>California macrophylla</i>	None/None G2/None 1B.1	March - May	Clay soils in cismontane woodland, valley and foothill grassland; 15-1200 m. ScV, n SnJV, CW, SCo, n ChI	No. Clay soils are not present in the Study Area.	No	No Effect

Agenda Item 3

Althouse and Meade, Inc. – 789.02

	Common Name Scientific Name	Fed/State Status Global/State CRPR Rank	Blooming Period	Habitat Preference	Potential Habitat?	Detected in Study Area?	Effect of Activity
8.	Dwarf Calycadenia <i>Calycadenia villosa</i>	None/None G3/None 1B.1	May - October	Dry, rocky hills, ridges, in chaparral, woodland, meadows and seeps; <1100 m. c&s SCoRO	No. Appropriate habitat is not present in Study Area.	No	No Effect
9.	Santa Cruz Mountains Pussypaws <i>Calyptridium parryi</i> var. <i>hesseae</i>	None/None G3G4T2/None 1B.1	May – August	Sandy or gravelly openings in chaparral and cismontane woodland. 700-1100 m.	No. Appropriate habitat is not present in Study Area.	No	No Effect
10.	Hardham's Evening- Primrose <i>Camissoniopsis</i> <i>hardhamiae</i>	None/None G1Q/None 1B.2	April - May	Decomposed carbonate soils, in chaparral, cismontane woodland. Monterey, SLO Counties	No. Appropriate habitat and soils are not present in Study Area.	No	No Effect
11.	San Luis Obispo Owl's-clover <i>Castilleja densiflora</i> var. <i>obispoensis</i>	None/None G5T2/None 1B.2	April	Coastal grassland, <100 m. Endemic to SLO County.	Yes. Grassland habitat could support this species.	No	No Effect
12.	Lemmon's Jewelflower <i>Caulanthus lemmonii</i>	None/None G3/None 1B.2	March – May	Dry, exposed slopes; grassland, chaparral, scrub; sw CnJV, se SnFrB, e SCoRO, SCoRI.	No. Appropriate habitat is not present in the Study Area.	No	No Effect
13.	Lompoc Ceanothus <i>Ceanothus cuneatus</i> var. <i>fascicularis</i>	None/None G5T3/None 4.2	February - April	Chaparral on coastal sandy mesas; <400 m. s Cco	No. Appropriate habitat and soils are not present in Study Area.	No	No Effect
14.	Santa Lucia Purple Amole <i>Chlorogalum</i> <i>purpureum</i> var. <i>purpureum</i>	FT/None G2T2/None 1B.1	April - June	Cismontane woodland, valley and foothill grassland, often with blue oaks. 300-330 m. Monterey, SLO Counties	No. Appropriate grassland habitat is not present in the Study Area.	No	No Effect

Agenda Item 3

Althouse and Meade, Inc. – 789.02

	Common Name Scientific Name	Fed/State Status Global/State CRPR Rank	Blooming Period	Habitat Preference	Potential Habitat?	Detected in Study Area?	Effect of Activity
15.	Douglas' Spineflower <i>Chorizanthe douglasii</i>	None/None G3/None 4.3	April - July	Foothill woodland, pine forest, chaparral, sandy or gravelly soils; 200-1600 m. e SCoRO, SCoRI	Yes. Appropriate sandy soils and woodland habitat present in Study Area.	No	No Effect
16.	Palmer's Spineflower <i>Chorizanthe palmeri</i>	None/None G3?/None 4.2	May – August	Serpentine; 60-700m. SCoRO (w Monterey, w San Luis Obispo cos.)	No. Serpentine soils are not present in the Study Area.	No	No Effect
17.	Straight-awned Spineflower <i>Chorizanthe rectispina</i>	None/None G1/None 1B.3	May - July	Chaparral, dry woodland in sandy soil; 200-600 m. SCoRO	No. Appropriate chaparral habitat is not present in the Study Area.	No	No Effect
18.	Monkey-flower Savory <i>Clinopodium mimuloides</i>	None/None G3/None 4.2	June – October	Moist places, streambanks, chaparral, woodland; 400-1800 m. CCo, SCoRO, WTR, SnGb	No. Appropriate habitat not present in the Study Area. Study Area is too low in elevation.	No	No Effect
19.	Small-flowered Morning-glory <i>Convolvulus simulans</i>	None/None G3/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 clay or serpentine soils are not found in the Study Area.	No	No Effect
20.	Small-flowered Gypsum-loving Larkspur <i>Delphinium gypsophilum</i> ssp. <i>parviflorum</i>	None/None G4T3?Q/None 3.2	March - June	Clay soil in cismontane woodland; 200-350 m.	No. Appropriate habitat and soils are not present in Study Area.	No	No Effect
21.	Eastwood's Larkspur <i>Delphinium parryi</i> ssp. <i>eastwoodiae</i>	None/None G4T2/None 1B.2	March – May	Coastal chaparral, grassland, on serpentine; 100-500m sCCo, SCoRO (San Luis Obispo County)	No. Appropriate habitat and soils are not present in Study Area.	No	No Effect

Agenda Item 3

Althouse and Meade, Inc. – 789.02

	Common Name Scientific Name	Fed/State Status Global/State CRPR Rank	Blooming Period	Habitat Preference	Potential Habitat?	Detected in Study Area?	Effect of Activity
22.	Umbrella Larkspur <i>Delphinium umbracolorum</i>	None/None G3/None 1B.3	April - June	Moist oak forest; 400-1600 m.	No. Appropriate habitat is not present in Study Area.	No	No Effect
23.	Koch's Cord Moss <i>Entosthodon kochii</i>	None/None G1/None 1B.3	n/a	Cismontane woodland. Moss growing on soil;	No. Appropriate moist soil conditions not present in Study Area.	No	No Effect
24.	Yellow-flowered Eriastrum <i>Eriastrum luteum</i>	None/None G2/None 1B.2	May – June	Bare sandy decomposed granite slopes in cismontane woodland, chaparral, forest; 360- 1000 m. SCoR, Monterey, SLO Counties	No. Appropriate granite slopes are not present in Study Area.	No	No Effect
25.	Elegant Wild Buckwheat <i>Eriogonum elegans</i>	None/None G3/None 4.3	May – November	Sand or gravel; 200 – 1200 m. SnFrB, SCoR, WTR	Yes. Appropriate sandy soil in woodland habitat is found in the Study Area.	No	No Effect
26.	Jepson's Woolly Sunflower <i>Eriophyllum jepsonii</i>	None/None G3/None 4.3	April – June	Dry oak woodland; 200- 1000 m. SnFrB, SCoRI	Yes. Appropriate oak woodland habitat is found in the Study Area.	No	No Effect
27.	San Benito Poppy <i>Eschscholzia hypocoides</i>	None/None G3/None 4.3	March – June	Grassy area in woodland, chaparral; serpentine clay. 200-1600 m. SCoRI	No. Appropriate serpentine habitat not present in Study Area.	No	No Effect
28.	Hogwallow Starfish <i>Hesperex caulescens</i>	None/None G3/None 4.2	March - June	Clay soils, mesic sites in valley and foothill grassland; 0-505 m.	No. Clay soils not present in Study Area.	No	No Effect
29.	Mesa Horkelia <i>Horkelia cuneata var. puberula</i>	None/None G4T2/None 1B.1	February - September	Dry, sandy coastal chaparral; gen 70-700 m. SCoRO, SCo.	No. Chaparral not present in Study Area.	No	No Effect
30.	Kellogg's Horkelia <i>Horkelia cuneata var. sericea</i>	None/None G4T2/None 1B.1	April - September	Old dunes, coastal sand hills; <200 m. CCo	No. Dune habitat is not present in the Study Area.	No	No Effect

Agenda Item 3

Althouse and Meade, Inc. – 789.02

	Common Name Scientific Name	Fed/State Status Global/State CRPR Rank	Blooming Period	Habitat Preference	Potential Habitat?	Detected in Study Area?	Effect of Activity
31.	Santa Lucia Dwarf Rush <i>Juncus luciensis</i>	None/None G2G3/None 1B.2	April – July	Vernal pools, ephemeral drainages, wet meadow habitats, and streams;	No. Appropriate habitat is not present in Study Area.	No	No Effect
32.	Pale-yellow Layia <i>Layia heterotricha</i>	None/None G2/None 1B.1	March - June	Alkaline or clay soils, open areas, in pinyon-juniper woodland, grassland; 270-1705 m. Teh, SnJV, SCoR, n WTR	No. Appropriate habitat and soils are not present in Study Area.	No	No Effect
33.	Jared's Pepper-grass <i>Lepidium jaredii</i> ssp. <i>jaredii</i>	None/None G2T1T2/None 1B.2	March - May	Alkali bottoms, slopes, washes, <500 m. SCoRI, SnJV	No. Appropriate soil type is not present in the Study Area.	No	No Effect
34.	Davidson's Bush-mallow <i>Malacothamnus davidsonii</i>	None/None G2/None 1B.2	June - January	Sandy washes in coastal scrub, riparian woodland, chaparral; 180-855 m. c SCoRO, SCo	No. Appropriate habitat is not present in Study Area.	No	No Effect
35.	Santa Lucia Bush-mallow <i>Malacothamnus palmeri</i> var. <i>palmeri</i>	None/None G3T2Q/None 1B.2	May - July	Chaparral, cismontane woodland, coastal scrub; 30-1100 m. s CCo, SCoRO	No. Appropriate habitat is not present in Study Area.	No	No Effect
36.	Carmel Valley Malacothrix <i>Malacothrix saxatilis</i> var. <i>arachnoidea</i>	None/None G5T2/None 1B.2	March - December	Rock outcrops, steep rocky road cuts in chaparral; 25-1215 m. Endemic to Monterey County	No. Appropriate habitat is not present in Study Area. Study Area is outside the known range of this species.	No	No Effect
37.	Mt. Diablo Cottonweed <i>Micropus amphibolus</i>	None/None G3/None 3.2	March - May	Bare, grassy, or rocky slopes; 50-800 m. NCoR, SnFrB, s SCoRO	No. Appropriate habitat is not present in the Study Area.	No	No Effect
38.	Woodland Woollythreads <i>Monolopia gracilens</i>	None/None G2G3/None 1B.2	March – July	Chaparral, serpentine grassland, cismontane woodland, sandy to rocky soils; SnFrB, SCoR	No. Appropriate habitat is not present in the Study Area.	No	No Effect

Agenda Item 3

Althouse and Meade, Inc. – 789.02

	Common Name Scientific Name	Fed/State Status Global/State CRPR Rank	Blooming Period	Habitat Preference	Potential Habitat?	Detected in Study Area?	Effect of Activity
39.	Spreading Navarretia <i>Navarretia fossalis</i>	FT/None G1/None 1B.1	April - June	Chenopod scrub, marshes and swamps, playas, and vernal pools; 30-1300m. SCoRO, SCo, to Baja Cal.	No. Appropriate habitat is not present in Study Area.	No	No Effect
40.	Shining Navarretia <i>Navarretia nigelliformis</i> ssp. <i>radians</i>	None/ None G4T2/None 1B.2	May - July	Vernal pools, clay depressions, dry grasslands; 150-1000 m. SCoR	No. Appropriate habitat is not present in Study Area.	No	No Effect
41.	Prostrate Vernal Pool Navarretia <i>Navarretia prostrata</i>	None/None G2/None 1B.1	April - June	Vernal pools or alkaline soils in grasslands; 15- 700 m. w SnJV, SCoRI, c SCo, PR	No. Appropriate vernal pool habitat is not present in Study Area.	No	No Effect
42.	Large-flowered Nemacladus <i>Nemacladus secundiflorus</i> var. <i>secundiflorus</i>	None/None G3T3*/None 4.3	April – May	Dry, gravelly slopes; 200- 2000m. s SNH, SCoR	No. Appropriate gravel slopes are no present in Study Area.	No	No Effect
43.	Hooked Popcornflower <i>Plagiobothrys uncinatus</i>	None/None G2/None 1B.2	April - May	Canyon sides, chaparral; on sandstone 300-600 m. n SCoR (Gabilan Range, Santa Lucia Mountains)	No. Appropriate habitat is not present in Study Area.	No	No Effect
44.	San Gabriel Ragwort <i>Senecio astephanus</i>	None/None G3/None 4.3	January - April	Drying alkaline flats, chaparral, cismontane woodland, coastal scrub; <400 m. CW, SCo, ChI	No. Appropriate alkaline soils and habitat are not present in Study Area.	No	No Effect
45.	Santa Cruz Microseris <i>Stebbinsoseris decipiens</i>	None/None G2/None 1B.2	April - May	Open areas in loose soil derived from sandstone, shale, or serpentine; 10-500 m. n & c CCo	No. Appropriate soils not present in Study Area.	No	No Effect
46.	Cook's Triteleia <i>Triteleia ixioides</i> ssp. <i>cookii</i>	None/None G5T2/None 1B.3	May - June	Streamsides, ravines on serpentine near cypresses; <500 m. SCoRO	No. Serpentine soils not present in Study Area.	No	No Effect

Habitat characteristics are from the Jepson Manual and the CNDDDB.

*not listed in the CNDDDB or CNPS for the search area, but possibly for the location

Agenda Item 3

Althouse and Meade, Inc. – 789.02

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

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

4.4 Special Status Plants Discussion

Five special status plant species have potential to occur in the Study Area based on review of known ecological requirements of these species and habitat conditions observed. No special status plant species were detected in the Study Area during botanical surveys in January, February, April and May 2014. We discuss each species and describe habitat, range restrictions, known occurrences, and potential to occur in the Study Area.

- A. Indian Valley Spineflower** (*Aristocapsa insignis*) is a CRPR 1B.2 species that is endemic to Monterey and San Luis Obispo Counties. The CNDDDB contains records of 4 documented localities for this species; two in Monterey County and two in San Luis Obispo County. The closest occurrence is in the vicinity of Indian Valley, near the Salinas River, approximately 11 miles northwest of the Study Area (CNDDDB #3). Appropriate sandy substrate occurs in the Study Area for Indian Valley spineflower. The Study Area is plowed annually, reducing the potential for this species to occur onsite. Botanical surveys in April and May did not find Indian Valley spineflower on or near the Study Area.
- B. San Luis Obispo Owl's-clover** (*Castilleja densiflora* var. *obispoensis*) is a CRPR 1B.2 subspecies endemic to San Luis Obispo County. It is an annual wildflower that occurs mainly in coastal grasslands in sandy or clay soils. It is not generally known from inland areas, however there are recent reports from the Paso Robles region (CNDDDB #36, #37, #42). The closest reported occurrence is from the property adjacent to the Study Area near the intersection of Airport Road and Dry Creek Road (CNDDDB #42). Limited habitat is present for this rare subspecies in the Study Area on slopes in annual grassland not disturbed by agricultural operations. San Luis Obispo owl's clover was not observed in the Study Area during the appropriately timed spring 2014 surveys, however, because of the severe two year drought it may not have appeared this year, and could be present on undisturbed slopes. The proposed project area does not include these potential habitat areas.
- C. Douglas' Spineflower** (*Chorizanthe douglasii*) is a CRPR 4.3 species known from San Benito, Monterey, and San Luis Obispo Counties. It is considered rare, but found in sufficient numbers and distributed widely enough within its known range that the threat of extinction is low at this time. This spineflower grows in gravelly or sandy substrates in the Santa Margarita area (Hoover #11352, Crampton #6978, etc.), and other areas of San Luis Obispo County (Adelaida (Rose #36265), Nacimiento River (Hardham #4396), Bee Rock (Bacigalupi #7434). Appropriate sandy substrate occurs in the Study Area for Douglas' spineflower, but the property is plowed annually, reducing the potential for this species to occur in the Study Area. Botanical surveys in April and May did not find Douglas' spineflower on or near the Study Area.
- D. 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. It is uncommon and ranges from the San Francisco Bay area to the South Coast and Western Transverse ranges. This species was reported from near San Miguel in 1912, and four reports between San Miguel and Lake Nacimiento for 2000 to 2002 (Calflora). Other reports of this species in San Luis Obispo County are from Highway 58 at Shell Creek in

2006, a location more than 20 miles from the Study Area. There are no reports in the CNDDDB for this species in San Luis Obispo County. Elegant wild buckwheat was not observed in the Study Area.

- E. Jepson's Woolly Sunflower** (*Eriophyllum jepsonii*) is a CRPR 4.3 perennial herb known from Alameda, Contra Costa, Kern, Monterey, San Benito, Santa Clara, Stanislaus, and Ventura Counties. The Jepson's woolly sunflower typically blooms April through June. It has not been reported from San Luis Obispo County. Moderately appropriate habitat in the Study Area consists of openings in blue oak woodland. Botanical surveys in April and May did not find Jepson's woolly sunflower on or near the Study Area.

4.5 Potential Special Status Animals List

Table 4 lists 35 special status animal species reported from the region. Federal and California State status, global and State rank, and CDFW listing status for each species are given. Typical nesting or breeding period, habitat preference, potential habitat on site, and whether or not the species was observed in the Study Area are also provided.

Agenda Item 3

Althouse and Meade, Inc. – 789.02

TABLE 4. SPECIAL STATUS ANIMAL LIST. Thirty-five special status animals known or reported from the region are listed. Sixteen special status animals could potentially occur in the Study Area based on review of preferred habitat types.

	Common and Scientific Names	Fed/State Status Global/State Rank CDFW Rank	Nesting/Breeding Period	Habitat Preference	Potential Habitat?	Observed On-site?	Effect of Proposed Activity
1.	Cooper's Hawk* <i>Accipiter cooperi</i>	None/None G5S3 Special Animal (Nesting)	March 15 - August 15	Oak woodland, riparian, open fields. Nests in dense trees, esp. coast live oak.	Yes. Appropriate nesting and foraging habitat present in the Study Area.	Yes (not nesting)	Potential Adverse Effect can be Mitigated
2.	Tricolored Blackbird <i>Agelaius tricolor</i>	None/None G2G3/S2 SSC	March 15 - August 15	Requires open water, protected nesting substrate, & foraging area with insect prey near nesting colony.	No. Open water not present in the Study Area.	No	No Effect
3.	Silvery Legless Lizard <i>Anniella pulchra pulchra</i>	None/None G3G4T3T4Q/S3 SSC	May - September	Sandy or loose loamy soils under coastal scrub or oak trees. Soil moisture essential.	Yes. Appropriate sandy soils and oak woodland habitat present in Study Area.	No	Potential Adverse Effect can be Mitigated
4.	Pallid Bat <i>Antrozous pallidus</i>	None/None G5/S3 SSC	Spring - Summer	Rock crevices, caves, tree hollows, mines, old buildings, and bridges.	Yes. Oak trees with hollows are present in the Study Area.	No	Potential Adverse Effect can be Mitigated
5.	Golden Eagle <i>Aquila chrysaetos</i>	None/None G5/S3 FP	March 15 - August 15	Nests in large, prominent trees in valley and foothill woodland. Requires adjacent food source.	Yes. Appropriate nesting habitat and food source are present in Study Area. Historic nesting location located adjacent to Study Area.	Yes (nest not on site)	Potential Adverse Effect can be Mitigated
6.	Great Blue Heron <i>Ardea herodias</i>	None/None G5/S4 SA	March 15 - August 15	Rookeries located in tall trees near foraging areas.	No. Appropriate nesting habitat not present in Study Area.	No	No Effect
7.	Burrowing Owl <i>Athene cunicularia</i>	None/None G4/S3 SSC	March 15 - August 15	Burrows in squirrel holes in open habitats with low vegetation.	Yes. Moderately appropriate habitat is present in the Study Area.	No	Potential Adverse Effect can be Mitigated
8.	Oak Titmouse* <i>Baeolophus inornatus</i>	None/None G5/S3? Special Animal (Nesting)	March 1 - August 31	Nests in cavities in oak woodland habitat. Non-migratory.	Yes. Appropriate oak woodland habitat is present in the Study Area.	Yes	Potential Adverse Effect can be Mitigated

Agenda Item 3

Althouse and Meade, Inc. – 789.02

	Common and Scientific Names	Fed/State Status Global/State Rank CDFW Rank	Nesting/Breeding Period	Habitat Preference	Potential Habitat?	Observed On-site?	Effect of Proposed Activity
9.	Vernal Pool Fairy Shrimp <i>Branchinecta lynchi</i>	FT/None G3/S2S3 SA	Rainy Season	Clear water sandstone depression pools, grassed swale, earth slump, or basalt flow depression pools.	No. Vernal pool habitat is not present in the Study Area.	No	No Effect
10.	Ferruginous Hawk <i>Buteo regalis</i>	None/None G4/S3S4 WL	October - April (Wintering)	Winters locally in open grassland or savannah habitats. More common in interior SLO County than coast.	Yes. Moderately suitable wintering habitat is present in the Study Area.	No	No Effect
11.	Swainson's Hawk* <i>Buteo swainsoni</i>	None/Threatened G5/S2 Special Animal (Nesting)	March 15 through August 15	Breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, agricultural fields.	Unlikely. The Study Area is outside the core breeding range and migration path of this species, but may provide foraging habitat.	No	Potential Adverse Effect can be Mitigated
12.	Lawrence's Goldfinch* <i>Carduelis lawrencei</i>	None/None G3G4/S3 Special Animal (Nesting)	March 15 - August 15	Nests in open oak or other arid woodland and chaparral habitats, near water.	Yes. Appropriate oak woodland habitat is present in the Study Area.	Yes	Potential Adverse Effect can be Mitigated
13.	Western Pond Turtle <i>Emys</i> [= <i>Actinemys</i>] <i>marmorata</i>	None/None G3G4/S3 SSC	April - August	Permanent or semi-permanent streams, ponds, lakes.	No. Appropriate aquatic habitat does not occur in the Study Area.	No	No Effect
14.	California Horned Lark <i>Eremophila alpestris actia</i>	None/None G5T3Q/S3 WL	March 15 - August 15	Nests on the ground in open habitats. More common in the interior.	Unlikely. Poor quality nesting habitat is present in the Study Area.	No	No Effect
15.	Prairie Falcon <i>Falco mexicanus</i>	None/None G5/S3 WL	March 15 - August 15	Inhabits dry, open terrain. Nests on cliffs near open areas for hunting.	No. Appropriate nesting habitat not present in Study Area.	No	No Effect
16.	Bald Eagle <i>Haliaeetus leucocephalus</i>	None/CE G5/S2 FP	March 15 - August 15	Nests within 1 mile of water in tall live tree with open branches.	No. Study Area is not located within one mile of open water.	No	No Effect

Agenda Item 3

Althouse and Meade, Inc. – 789.02

	Common and Scientific Names	Fed/State Status Global/State Rank CDFW Rank	Nesting/Breeding Period	Habitat Preference	Potential Habitat?	Observed On-site?	Effect of Proposed Activity
17.	Hoary Bat <i>Lasiurus cinereus</i>	None/None G5/S4? SA	Spring-Fall	Forages in open habitats or habitat mosaics with trees. Roosts in dense foliage of medium to large trees. Feeds on moths. Requires water.	No. Appropriate habitat not present in Study Area.	No	No Effect
18.	San Joaquin Whipsnake <i>Masticophis flagellum ruddocki</i>	None/None G5T2T3/S2? SSC	May	Open, dry, treeless areas, including grasslands and saltbush scrub; takes refuge in burrows and under shaded vegetation	No. Appropriate habitat is not present in the Study Area.	No	No Effect
19.	Lewis's Woodpecker* <i>Melanerpes lewis</i>	None/None G4/SNR SA	March 15 - August 15	Open pine, riparian or oak woodlands, also orchards.	Yes. Appropriate habitat is present in the Study Area, and Study Area is located next to a known wintering location.	Yes	Potential Adverse Effect can be Mitigated
20.	Monterey Dusky-footed Woodrat <i>Neotoma macrotis luciana</i>	None/None G5T3?/S3? SSC	n/a	Variety of habitats with moderate to dense understory vegetation	No. Appropriate understory habitat is not present in the Study Area.	No	No Effect
21.	Steelhead - South/central California Coast DPS <i>Oncorhynchus mykiss irideus</i>	FT/None G5T2Q/S2 SSC	February - April	Fed listing refers to runs in coastal basins from Pajaro River south to, but not including, the Santa Maria River.	No. Appropriate aquatic habitat is not present in the Study Area.	No	No Effect
22.	San Joaquin Pocket Mouse <i>Perognathus inornatus inornatus</i>	None/None G4T2T3/S2S3 SA	n/a	Grasslands and blue oak savannahs with friable soil and occasional shrubs. Also chaparral.	No. Reports of this subspecies west of the San Joaquin valley are incorrect. Museum specimens used as the basis of CNDDB reports are annotated to <i>P. inornatus neglectus</i> .	No	No Effect

Agenda Item 3

Althouse and Meade, Inc. – 789.02

	Common and Scientific Names	Fed/State Status Global/State Rank CDFW Rank	Nesting/Breeding Period	Habitat Preference	Potential Habitat?	Observed On-site?	Effect of Proposed Activity
23.	Salinas Pocket Mouse <i>Perognathus inornatus psammophilus</i>	None/None G4T2?/S2? SSC	n/a	Annual grassland and desert shrub in Salinas Valley, with friable soils	No. Appropriate habitat is not present in the Study Area.	No	No Effect
24.	Coast Horned Lizard <i>Phrynosoma blainvillii</i>	None/None G3G4/S3S4 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 in the Study Area. Sandy creek bed is present, but no shrubs are present in channel.	No	No Effect
25.	Yellow-billed Magpie* <i>Pica nuttallii</i>	None/None G3G4/S3S4 Special Animal (Nesting & Communal Roosts)	March 15 - August 15	Open oak and riparian woodlands near grassland, pasture, or cropland in Central Valley from south of San Francisco to Santa Barbara.	Yes. Appropriate nesting habitat is present in the Study Area..	Yes	Potential Adverse Effect can be Mitigated
26.	Nuttall's Woodpecker* <i>Picoides nuttallii</i>	None/none G5/SNR Special Animal (Nesting)	March 15 - August 15	Nests in standing snag or hollow tree in oak woodland and oak forest habitats.	Yes. Appropriate nesting habitat is present at the Site.	Yes	Potential Adverse Effect can be Mitigated
27.	Atascadero June Beetle <i>Polyphylla nubila</i>	None/None G1/S1 SA	n/a	Known only from sand dunes in Atascadero and San Luis Obispo, San Luis Obispo County.	No. Dune habitat is not present in the Study Area.	No	No Effect
28.	California Red-legged Frog <i>Rana draytonii</i>	FT/None G2G3/S2S3 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 is not present in the Study Area	No	No Effect
29.	Yellow Warbler* <i>Setophaga petechia brewsteri</i>	None/None G5T3?/S2 SSC	March 15 - August 15	Nests in riparian plant associations, including willows, cottonwoods, etc.	Yes. Limited poor quality nesting habitat present in Study Area. Suitable migration stop-over habitat is present.	Yes (not nesting)	No Effect

Agenda Item 3

Althouse and Meade, Inc. – 789.02

	Common and Scientific Names	Fed/State Status Global/State Rank CDFW Rank	Nesting/ Breeding Period	Habitat Preference	Potential Habitat?	Observed On-site?	Effect of Proposed Activity
30.	Western Spadefoot <i>Spea hammondi</i>	None/None G3/S3 SSC	January – August	Vernal pools in grassland and woodland habitats	No. Vernal pool habitat is not present in the Study Area.	No	No Effect
31.	Coast Range Newt <i>Taricha torosa</i>	None/None G4/S4 SSC	December - May	Slow moving streams, ponds, and lakes with surrounding evergreen/oak forests along coast.	No. Appropriate habitat is not present in the Study Area.	No	No Effect
32.	American Badger <i>Taxidea taxus</i>	None/None G5/S4 SSC	February – May	Needs friable soils in open ground with abundant food source such as California ground squirrels.	Yes. Appropriate soil type and abundant food source are present on site.	No	Potential Adverse Effect can be Mitigated
33.	Lompoc Grasshopper <i>Trimerotropis occulens</i>	None/None GH/SH SA	n/a	Unknown. Known only from Santa Barbara and San Luis Obispo Counties	No. Single specimen from 1908 from an unknown location.	No	No Effect
34.	Least Bell's Vireo <i>Vireo bellii pusillus</i>	FE/CE G5T2/S2 WL	March 15 - August 15	Riparian habitat, near water or dry streambed, <2000 ft. Nests in willows, mesquite, Baccharis.	No. Riparian habitat in Study Area is not appropriate for nesting Bell's vireo.	No	No Effect
35.	San Joaquin Kit Fox <i>Vulpes macrotis mutica</i>	FE/CT G4T2T3/S2S3 SA	December – July	Annual grasslands or grassy open stages with scattered shrubby vegetation.	Yes. Appropriate habitat is present in the Study Area.	No	Potential Adverse Effect can be Mitigated

Habitat characteristics are from the CNDDB. *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

4.6 Special Status Animals Discussion

Sixteen special status animal species could occur in the Study Area. Below we discuss each species and describe habitat, range restrictions, known occurrences, and survey results.

- A. Cooper’s Hawk** (*Accipiter cooperii*) is a Special Animal that occurs regularly in San Luis Obispo County during the winter months and during spring and fall migration. It is generally regarded as a regular but uncommon nesting species in San Luis Obispo County. Cooper's hawks frequent oak and riparian woodland habitats, and increasingly urban areas, where they prey primarily upon small birds. There are no reports in the CNDDDB of Cooper's hawks nesting in the Paso Robles area, but appropriate oak tree canopy is present on the Property for nesting Cooper's hawks. A Cooper's hawk was seen in the Study Area during May surveys, flying low over the oaks on the east side of the property. No breeding behavior was observed.
- B. Silvery Legless Lizard** (*Anniella pulchra pulchra*) is a California Species of Special that inhabits friable soils in a variety of habitats from coastal dunes to oak woodlands and chaparral. The sandy soils in oak woodlands on the property are adequate for silvery legless lizard. This species is difficult to find and is probably under reported throughout its’ range. There are three records of silvery legless lizard in the Paso Robles area in the CNDDDB, the closest of which is approximately 7 miles northwest of the Study Area. A&M biologists located silvery legless lizards in blue oak woodland less than one mile from the Study Area (CNDDDB report submitted 2012). Silvery legless lizard was not identified on the property in 2014 but could occur in leaf litter beneath oak trees.
- C. 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 that selects roosts where they can retreat from view. They frequently occur in oak woodlands where they roost in tree cavities. These roosts are generally day or night roosts for one or a few bats. Attics may be used as roosts and during hot days they may emerge from crevices and roost on open rafters. Communal wintering or maternity colonies are more common in rock crevices and caves. The nearest record is approximately 7 miles northwest of the Study Area, a maternity colony under the River Road bridge over the Salinas River (CNDDDB #104), however this bridge was demolished and replaced. The next nearest record is 11 miles to the northwest in oak woodlands on Camp Roberts, most likely a night roost (CNDDDB #213). Pallid bats likely forage seasonally in the Salinas River and adjacent riparian habitats, and may forage in riparian habitats up Huerhuero Creek. They may roost in small numbers in large riparian or oak trees in the Study Area. Maternity colonies are not expected to occur on the property.
- D. Golden Eagle** (*Aquila chrysaetos*) is designated a Fully Protected species by the CDFW. Fully Protected species may not be taken under any circumstances, and authorization for take may not be granted (refer to Section 3.6.2). The golden eagle is also protected under the federal Bald and Golden Eagle Protection Act. Golden eagles require large trees for nesting and open hunting grounds with abundant prey. There is a golden eagle nest approximately 1,000 feet west of the Study Area in oak woodland

along Huerhuero Creek and approximately 1500 feet from the nearest proposed lot line (CNDDDB #122). Based on information in the CNDDDB, eagles have nested in this area for over 20 years. Two golden eagles were observed in the Study Area during May surveys, perched atop large oak trees in the woodland in the western portion of the Study Area, approximately 0.3 miles east of the nest location. The Study Area contains suitable foraging habitat for the eagles, as well as potential nesting habitat in the form of large oaks.

- E. Burrowing Owl** (*Athene cunicularia*) is a small, uncommon owl that nests in abandoned holes in the ground, most notably those of the California ground squirrel. It is listed as a California Species of Special Concern. Burrowing owls are a common resident in local areas of the interior, from the Bitterwater Valley to the Carrizo Plains and elsewhere. Less frequent reports are from coastal grasslands. There are multiple reports of burrowing owls in the CNDDDB at Camp Roberts, approximately 9 miles northwest of the Study Area. Appropriate nesting habitat is present in the Study Area in the form of ground squirrel burrows, though the area is highly disturbed due to annual or biannual plowing. Transient owls could use the Study Area for wintering or nesting. No signs of burrowing owls were found during wildlife surveys in May 2014.
- F. Oak Titmouse** (*Baeolophus inornatus*) is a Special Animal that is an oak woodland obligate, nesting in cavities in oak trees. It is a common species in oak woodlands on the central coast, but is tracked by the CDFW due to state-wide losses of oak woodland habitat. The oak titmouse nests in oak woodland habitat in the Study Area. During spring surveys an active oak titmouse nest was found, and several pairs of adult birds were observed feeding recent fledglings.
- G. Ferruginous Hawk** (*Buteo regalis*) is a California Species of Special Concern that winters in grassland habitats in San Luis Obispo County and elsewhere in California. It does not breed in San Luis Obispo County, but is protected on its wintering grounds. Ferruginous hawks prefer short-grass habitats such as grasslands and fallow farm fields where they often perch on the ground and hunt by coursing low over the fields. They are regular but never abundant winter residents in the interior portion of the County. There is one record in the CNDDDB of two wintering ferruginous hawks at Camp Roberts, approximately 10 miles northwest of the Study Area (CNDDDB #75). Ferruginous hawks were not observed during our wildlife surveys in January and February 2014 but could occur as an uncommon winter resident or migrant.
- H. Swainson's Hawk** (*Buteo swainsoni*) is a state-listed threatened species that breeds in California and winters in Mexico and South America. It nests in large trees in riparian habitats and upland areas in arid grassland and shrub-steppe habitats. In the San Joaquin and Sacramento Valleys of California, agricultural habitats are often used for foraging, with nests built in adjacent riparian corridors. The Swainson's hawk is a very uncommon breeder in San Luis Obispo County. Until 2010, the most recent confirmed nest record was from the San Juan River south of Shandon in 1977. In 2010, two nesting records were reported for Swainson's hawk in San Luis Obispo County (CNDDDB #1722 and #1723). One record was from west of Shandon along Highway 46, approximately 5.5 miles east of the Study Area, and one was from the Cuyama Valley, over 50 miles southeast of the site. Potentially suitable nesting and foraging habitat is

present in the Study Area for Swainson's hawk. Swainson's hawks were not observed during 2014 wildlife surveys.

- I. Lawrence's Goldfinch** (*Carduelis lawrencei*) is a Special Animal that nests in oak habitats in the mountain areas of northern and eastern San Luis Obispo County, and elsewhere in California. Flocks of Lawrence's goldfinches tend to be highly mobile, moving to seasonal food sources. It is highly likely that Lawrence's Goldfinches breed in oak woodland habitat in the Study Area, as a pair of adult goldfinches was observed feeding four fledglings during May 2014 surveys. Other adult birds were also observed foraging in a separate location in the Study Area.
- J. California Horned Lark** (*Eremophila alpestris actia*) is a Watchlist species known to breed from Sonoma County south to San Diego County, as well as east to the foothills of the Sierra Nevada Mountains. It breeds in open, flat habitats with short vegetation, including grasslands, alkali flats, fallow grain fields, and meadows. Horned larks are common in the interior areas of San Luis Obispo County and less so coastally. They are known to make local movements through the seasons, and may not breed in all areas they are observed. Horned larks were not observed in the Study Area during 2014 wildlife surveys.
- K. Lewis's Woodpecker** (*Melanerpes lewis*) is a Special Animal that nests in oak habitats in San Luis Obispo County, and pine, riparian, or oak woodland habitats throughout central and northern California. In San Luis Obispo County, Lewis's woodpeckers have a restricted range, breeding only in the vicinity of Paso Robles. Lewis's woodpeckers breed in the oak savannah in the Study Area. A Lewis's woodpecker nest was found in a blue oak in the north central part of the Study Area, and an adult bird was observed entering the cavity.
- L. Yellow-billed Magpie** (*Pica nuttallii*) is a Special Animal that is endemic to the Central Valley of California, from Sacramento south to Santa Barbara. It is a resident of oak savannah and open oak woodlands, where it lives and breeds in communal groups. Yellow-billed magpies are present in the Study Area, and an active nest was found on the north bank of Huerhuero Creek.
- M. Nuttall's Woodpecker** (*Picoides nuttallii*) is a Special Animal tracked by the CDFW due to statewide reduction in preferred oak woodland habitats. Nuttall's woodpeckers remain fairly common residents in oak woodland habitats throughout Santa Barbara and San Luis Obispo Counties. They were observed in oak habitats in the Study Area and are expected to nest in oak woodlands within the project site boundary.
- N. Yellow Warbler** (*Setophaga petechia brewsteri*) is a California Special Concern species with a restricted breeding range in Central and Southern California. The status of this subspecies of yellow warbler is described by the CNDDDB as "restricted range, rare". They frequent riparian habitats, nesting in sycamores, cottonwoods, willows, and other riparian trees. There are no breeding records in the CNDDDB for yellow warbler in SLO County; however, yellow warbler is a regular spring and fall migrant that will breed in the County. The riparian habitat along Huerhuero Creek is poor nesting habitat, but suitable for foraging. Yellow warblers are highly unlikely to breed in the Study Area, but may stop and forage during migration. During May 2014 surveys, a singing male

yellow warbler was detected in an oak tree in the grassland, indicating it was likely a migrating individual.

- O. American Badger** (*Taxidea taxus*) is a California Species of Special Concern 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. Appropriate habitat for badgers is found in the Study Area, due to the abundant ground squirrels. A&M biologists have observed badgers on Paso Robles Airport property approximately 2,000 feet northeast of the Study Area. No signs of badgers were observed in the Study Area during spring site surveys in 2014.
- P. San Joaquin Kit Fox** (*Vulpes macrotis mutica*) is a federally listed endangered species and a state listed threatened species. The CNDDDB reports two occurrences from approximately 0.5 miles south of the Study Area on Chandler Ranch from 1990 and 1991, respectively (CNDDDB #945, #941). These two records are the most recent reports from Paso Robles. No San Joaquin kit foxes (SJKF) have been reported from within 10 miles of the Study Area in the last seven years (Camp Roberts airfield, 2007). However, the Study Area is part of a potential corridor for transient kit foxes between the existing population in eastern San Luis Obispo County and Camp Roberts habitat. SJKF has not been observed on Camp Roberts since 2007. The oak savannah and fallow cropland on the property provide some habitat for San Joaquin kit fox. This area is within the three to one mitigation ratio area (as per the San Luis Obispo County Standard Kit Fox Mitigation Ratios map, found at:
<http://www.sloplanning.org/gis/mapimagepdf/kitfox.pdf>).

4.7 Special Status Species Not Expected to Occur

The remaining 56 special status species reported to occur in the Bradley, San Miguel, Ranchito Canyon, Adelaida, Paso Robles, Estrella, York Mountain, Templeton, and Creston quadrangles are not expected to occur in the Study Area due to the absence of required soil type, lack of appropriate habitat, or because the Study Area is substantially outside the known range of the species.

4.8 Potential Sensitive Natural Communities

The CNDDDB reports one sensitive natural community in the Bradley, San Miguel, Ranchito Canyon, Adelaida, Paso Robles, Estrella, York Mountain, Templeton, and Creston quadrangles.

TABLE 5. SENSITIVE NATURAL COMMUNITIES.

	Common Name	Global/State Rank	Potential Habitat?	Effect of Proposed Activity
1	Valley Oak Woodland	G3/S2.1	No. Valley oak woodland is not present in the Study Area.	No Effect

5.0 Habitat Types

We describe four habitat types in the Study Area and provide approximate acreages for each habitat type present in 2014 (Table 6): cropland, oak woodland, oak savannah and riparian. The Habitat Map provided in Section 13 indicates the locations of each habitat type in the Study Area as of 2014. No sensitive natural communities occur in the Study Area.

TABLE 6. HABITAT DATA. The approximate acreage and location are provided for all habitat types occurring in the Study Area.

Habitat Type	Approx. Acreage
Cropland	166
Oak woodland	26
Oak savannah	10
Riparian	18

5.1 Cropland

The dominant habitat type in the Study Area is cropland, which covers approximately 166 acres. The cropland is plowed one to two times a year and planted with barley (*Hordeum vulgare*), which is dry-farmed. This acreage has been farmed for at least the last 5 years. In 2014, at least 20 acres of plowed land on the east and north sides of the Study Area were not planted. Cattle are currently grazed on the eastern portion of the Study Area, on the floodplain between Huerhuero Creek and the embankment. Scattered blue oaks (*Quercus douglasii*) and valley oaks (*Quercus lobata*) occur in the cropland. California ground squirrels are abundant in the fallow fields, and therefore this habitat could be important for foraging golden eagles and other raptors.

5.2 Oak Woodland and Oak Savannah

Oak woodland covers approximately 26 acres of the Study Area, and oak savannah covers approximately 10 acres. The largest patch of woodland is a 15-acre stand in the western portion of the Study Area with smaller stands of oak woodland on the north-facing and east-facing

slopes of the embankment that follows the contour of Huerhuero Creek. Oak savannah occurs along the east-facing and south-facing slopes of the embankment which are too steep to be plowed, and are the only places in the Study Area where patches of grassland occur (considered oak understory, not grassland habitat). The oak woodland is comprised primarily of blue oaks, with some coast live (*Quercus agrifolia*) and valley oaks, and has a diverse understory consisting of non-native grasses, native forbs and bulbs. The oak savannah understory is comprised almost entirely of non-native annual grasses such as ripgut brome (*Bromus diandrus*) and slender wild oat (*Avena fatua*), and is dotted with mature blue and valley oaks. The oaks provide nesting and foraging habitat for sensitive bird species such as Lewis's woodpecker, oak titmouse, Nuttall's woodpecker, yellow-billed magpie, and Lawrence's goldfinch. Golden eagles nest in the oak woodland along Huerhuero Creek west of the Study Area, and roost and perch in the oaks in the Study Area. Other raptors such as Cooper's hawk and great-horned owl may nest or roost in the oaks. The woodland understory may provide foraging habitat and shelter for sensitive and common herpetofauna and small mammal species. Bats may also roost in hollows in the oaks.

5.3 Riparian

Riparian habitat occurs along the Huerhuero River. This habitat is sparse distribution of Fremont cottonwood (*Populus fremontii*), red willow (*Salix laevigata*), with widely spaced patches of wild rose (*Rosa californica*), fragrant sumac (*Rhus aromatica [=R. trilobata]*), poison oak (*Toxicodendron diversilobum*), coyote bush (*Baccharis pilularis*), and mule fat (*Baccharis salicifolia*). Blue oaks and valley oaks intermittently occur along the banks. Over thirty large cottonwood trees were removed from the riparian corridor of the Huerhuero River in 2014. Trees and shrubs along the river within the Study Area are sparse and patchy. The proposed project would not be within 500 feet of the Huerhuero River banks, and would not affect riparian habitat.

6.0 Botanical Inventory

6.1 Botanical Survey Results

Botanical surveys conducted in May 2014 identified 102 species, subspecies and varieties of vascular plant taxa in the Study Area (Table 7). The list includes 66 species native to California, 33 introduced (naturalized or planted) species and 3 plants identified to genus from unknown origins. No special status plant species occur in the Study Area. Native plant species account for approximately 64 percent of the taxa within the Study Area; introduced species account for approximately 33 percent.

TABLE 7. VASCULAR PLANT LIST. The 101 species of vascular plants identified in the Study Area consist of 66 native species, 33 planted or introduced species, and 3 that could not be identified to origin. The vascular plant list is separated into general life form categories, within which the taxa are listed alphabetically by scientific name.

Scientific Name	Status	Origin	Common Name
Trees – 5 species			
<i>Populus fremontii</i> ssp. <i>fremontii</i>	None	Native	Fremont cottonwood
<i>Quercus agrifolia</i> var. <i>agrifolia</i>	None	Native	Coast live oak
<i>Quercus douglasii</i>	None	Native	Blue oak
<i>Quercus lobata</i>	None	Native	Valley oak
<i>Salix laevigata</i>	None	Native	Red willow
Shrubs – 6 species			
<i>Baccharis pilularis</i>	None	Native	Coyote brush
<i>Baccharis salicifolia</i>	None	Native	Mule fat
<i>Rhus aromatica</i> [= <i>R. trilobata</i>]	None	Native	Fragrant sumac
<i>Rosa californica</i>	None	Native	Wild rose
<i>Solanum umbelliferum</i>	None	Native	Blue witch
<i>Toxicodendron diversilobum</i>	None	Native	Poison oak
Herbs – 77 species			
<i>Acmispon</i> [= <i>Lotus</i>] <i>brachycarpus</i> .	None	Native	Hill lotus
<i>Acmispon</i> [= <i>Lotus</i>] <i>strigosus</i>	None	Native	Bishop lotus
<i>Amaranthus</i> sp.	None	Unknown	Amaranth
<i>Ambrosia psilostachya</i>	None	Native	Western ragweed
<i>Amsinckia intermedia</i> [= <i>A. menziesii</i> var. <i>intermedia</i>]	None	Native	Common fiddleneck
<i>Amsinckia menziesii</i>	None	Native	Common fiddleneck
<i>Anthemis cotula</i>	None	Introduced	Mayweed
<i>Artemisia douglasiana</i>	None	Native	Mugwort
<i>Asclepias eriocarpa</i>	None	Native	Indian milkweed

Agenda Item 3

Althouse and Meade, Inc. – 789.02

Scientific Name	Status	Origin	Common Name
<i>Asclepias fascicularis</i>	None	Native	Narrow-leaved milkweed
<i>Astragalus</i> sp.	None	Native	Milkvetch
<i>Bloomeria crocea</i>	None	Native	Common goldenstar
<i>Brassica nigra</i>	None	Introduced	Black mustard
<i>Brodiaea terrestris</i>	None	Native	Brodiaea
<i>Calandrinia ciliata</i>	None	Native	Red maids
<i>Camissonia strigulosa</i>	None	Native	Sun cup
<i>Capsella bursa-pastoris</i>	None	Introduced	Shepherd's purse
<i>Centaurea melitensis</i>	None	Introduced	Tocolote
<i>Chaenactis glabriuscula</i>	None	Native	Yellow pincushion
<i>Chlorogalum pomeridianum</i>	None	Native	Soaproot
<i>Clarkia purpurea</i>	None	Native	Wine cups
<i>Claytonia perfoliata</i>	None	Native	Miner's lettuce
<i>Collinsia heterophylla</i>	None	Native	Collinsia
<i>Croton [=Eremocarpus] setigerus</i>	None	Native	Dove weed
<i>Cuscuta californica</i>	None	Native	California dodder
<i>Datura wrightii</i>	None	Native	Jimsonweed
<i>Deinandra [=Hemizonia] pentactis</i>	None	Native	Salinas tarplant
<i>Dichelostemma capitatum</i>	None	Native	Blue dicks
<i>Erigeron [=Conzya] canadensis</i>	None	Native	Common horseweed
<i>Eriogonum baileyi</i>	None	Native	Buckwheat
<i>Erodium botrys</i>	None	Introduced	Filaree
<i>Erodium cicutarium</i>	None	Introduced	Redstem filaree
<i>Erodium moschatum</i>	None	Introduced	Filaree
<i>Euphorbia spathulata</i>	None	Native	Spurge
<i>Galium aparine</i>	None	Native	Goose grass
<i>Gilia achilleifolia</i>	None	Native	California gilia
<i>Glycyrrhiza lepidota</i>	None	Native	Wild licorice
<i>Helianthemum scoparium</i>	None	Native	Rush rose
<i>Heliotropium curassavicum</i> var. <i>oculatum</i>	None	Native	Heliotrope
<i>Hypochaeris glabra</i>	None	Introduced	Smooth cat's ear
<i>Iva axillaris</i> [=ssp. <i>robustior</i>]	None	Native	Poverty weed
<i>Juncus mexicanus</i>	None	Native	Mexican rush
<i>Lamium amplexicaule</i>	None	Introduced	Henbit
<i>Lepidium nitidum</i> [=var. <i>nitidum</i>]	None	Native	Pepperwort

Agenda Item 3

Althouse and Meade, Inc. – 789.02

Scientific Name	Status	Origin	Common Name
<i>Logfia [=Filago] gallica</i>	None	Introduced	Narrowleaf cottonrose
<i>Lupinus bicolor</i>	None	Native	Miniature lupine
<i>Lupinus microcarpus</i>	None	Native	Chick lupine
<i>Lupinus succulentus</i>	None	Native	Arroyo lupine
<i>Malva nicaeensis</i>	None	Introduced	Bull mallow
<i>Marrubium vulgare</i>	None	Introduced	Horehound
<i>Matricaria discoidea</i> [= <i>Chamomilla suaveolens</i>]	None	Introduced	Pineapple weed
<i>Medicago polymorpha</i>	None	Introduced	California burclover
<i>Melilotus officinalis</i>	None	Introduced	Yellow sweetclover
<i>Micropus californicus</i>	None	Native	Cottonweed
<i>Pectocarya</i> sp.	None	Native	Pectocarya
<i>Plagiobothrys acanthocarpus</i>	None	Native	Popcorn flower
<i>Plantago lanceolata</i>	None	Introduced	English plantain
<i>Plectritis</i> sp.	None	Native	Seablush
<i>Psilocarphus</i> sp.	None	Native	Woollyheads
<i>Ranunculus californicus</i>	None	Native	Buttercup
<i>Ranunculus hebecarpus</i>	None	Native	Annual buttercup
<i>Rumex</i> sp.	None	Unknown	Dock
<i>Salsola tragus</i>	None	Introduced	Russian thistle
<i>Salvia columbariae</i>	None	Native	Chia sage
<i>Sanicula bipinnatifida</i>	None	Native	Purple sanicle
<i>Sanicula crassicaulis</i>	None	Native	Sanicle
<i>Silene gallica</i>	None	Introduced	Windmill pinks
<i>Silybum marianum</i>	None	Introduced	Milk thistle
<i>Sisymbrium altissimum</i>	None	Introduced	Tumble mustard
<i>Spergularia rubra</i>	None	Introduced	Red sand spurrey
<i>Stephanomeria pauciflora</i>	None	Native	Desert wire-lettuce
<i>Thysanocarpus laciniatus</i> var. <i>laciniatus</i>	None	Native	Fringepod
<i>Trifolium</i> sp.	None	Unknown	Clover
<i>Urtica urens</i>	None	Introduced	Dwarf nettle
<i>Verbena lasiostachys</i>	None	Native	Verbena
<i>Vicia villosa</i>	None	Introduced	Winter vetch
<i>Viola pedunculata</i>	None	Native	Johnny jump-up

Scientific Name	Status	Origin	Common Name
Grasses – 14 species			
<i>Avena barbata</i>	None	Introduced	Slender wild oat
<i>Avena fatua</i>	None	Introduced	Wild oat
<i>Bromus diandrus</i>	None	Introduced	Ripgut brome
<i>Bromus hordeaceus</i>	None	Introduced	Soft chess brome
<i>Bromus madritensis</i> ssp. <i>Rubens</i> [= <i>B. rubens</i>]	None	Introduced	Red top brome
<i>Bromus tectorum</i>	None	Introduced	Cheat grass
<i>Cynodon dactylon</i>	None	Introduced	Bermuda grass
<i>Distichlis spicata</i>	None	Native	Saltgrass
<i>Elymus</i> [= <i>Leymus</i>] <i>triticoides</i>	None	Native	Creeping wild rye
<i>Festuca</i> [= <i>Vulpia</i>] <i>microstachys</i>	None	Native	Annual fescue
<i>Festuca</i> [= <i>Vulpia</i>] <i>myuros</i>	None	Introduced	Rattail sixweeks grass
<i>Hordeum murinum</i>	None	Introduced	Foxtail barley
<i>Hordeum vulgare</i>	None	Introduced	Barley
<i>Stipa</i> [= <i>Nassella</i>] <i>lepida</i>	None	Native	Foothill needlegrass

7.0 Wildlife Inventory

7.1 Wildlife Survey Results

At least one hundred (100) animal species are listed that could potentially occur in the Study Area (Table 8). These include at least 3 amphibians, 6 reptiles, 70 birds, and 20 mammals. Small mammal trapping studies were beyond the scope of this report; however, several small mammal species are likely to occur. We provide this list as a guide to the wildlife observed in the Study Area and to the species that could potentially be present. Other species could occur as transients, particularly avian fauna.

Wildlife species detected in the Study Area include 41 birds and 3 mammals. Many songbirds breed and forage in the oak woodland and in the large cottonwood trees in the creek corridor. Many raptors were observed perching in the oak trees in the Study Area, including a pair of golden eagles, a pair of American kestrels, and a pair of red-tailed hawks. A Cooper’s hawk flew through the oak savannah, and a great horned owl flushed from the oaks in the southeast part of the Study Area. California ground squirrels are abundant in the annual grassland, and mule deer were observed foraging in the riparian habitat on the eastern boundary.

TABLE 8. WILDLIFE LIST At least 100 animal species have the potential to occur in the Study Area. The Special Status column indicates listing status of the organism under the Federal Endangered Species Act, the California Endangered Species Act, or by CDFW. Species observed at the site during our surveys are designated by the check symbol (✓) in the fourth column.

Common Name	Scientific Name	Special Status	Found On-site	Habitat Type
Amphibians – 3 Species				
California (Western) Toad	<i>Anaxyrus [=Bufo] boreas halophilus</i>	None		Grassland, woodland
Monterey Ensatina	<i>Ensatina eschscholzii eschscholzii</i>	None		Riparian, oak woodlands, grasslands
Sierran Treefrog [=Pacific Chorus Frog]	<i>Pseudacris sierra</i> [formerly <i>P. regilla</i>]	None		Many habitats near water
Reptiles – 6 Species				
Silvery [=California] Legless Lizard	<i>Anniella pulchra</i>	SSC		Sandy soils in dunes, woodlands, coastal scrub
Western Yellow-bellied Racer	<i>Coluber constrictor mormon</i>	None		Grasslands, open areas
California Alligator Lizard	<i>Elgaria multicarinata multicarinata</i>	None		Open grassland, woodland, chaparral
California Kingsnake	<i>Lampropeltis getula californiae</i>	None		Woodland, grassland, streams
Pacific Gopher Snake	<i>Pituophis catenifer catenifer</i>	None		Woodland, grassland, rural
Coast Range [=Western] Fence Lizard	<i>Sceloporus occidentalis bocourtii</i>	None		Wide range; variety of habitats
Birds – 70 Species				
Cooper's Hawk	<i>Accipiter cooperii</i>	Special Animal ¹ (Nesting)	✓	Oak, riparian woodland
White-throated Swift	<i>Aeronautes saxatilis</i>	None	✓	Nests in cliffs
Red-winged Blackbird	<i>Agelaius phoeniceus</i>	None	✓	Marshes, fields
Western Scrub-Jay	<i>Aphelocoma californica</i>	None	✓	Oak, riparian woodlands
Golden Eagle	<i>Aquila chrysaetos</i>	Fully Protected	✓	Open or mountainous areas
Oak Titmouse	<i>Baeolophus inornatus</i>	Special Animal (Nesting)	✓	Oak woodland
Great Horned Owl	<i>Bubo virginianus</i>	None	✓	Woodland, grassland
Red-tailed Hawk	<i>Buteo jamaicensis</i>	None	✓	Open, semi-open country
Red-shouldered Hawk	<i>Buteo lineatus</i>	None		Oak, riparian woodlands
Ferruginous Hawk	<i>Buteo regalis</i>	SSC		Grasslands, open fields
California Quail	<i>Callipepla californica</i>	None	✓	Shrubby habitats
Anna's Hummingbird	<i>Calypte anna</i>	None	✓	Many habitats
Lawrence's Goldfinch	<i>Carduelis lawrencei</i>	Special Animal (Nesting)	✓	Oak woodlands, savanna

¹ Special Animal refers to all of the animal taxa inventoried by the CNDDDB, regardless of their legal or protection status. Refer to discussion of Special Animals in Section 3.5.2.

Agenda Item 3

Althouse and Meade, Inc. – 789.02

Common Name	Scientific Name	Special Status	Found On-site	Habitat Type
Lesser Goldfinch	<i>Carduelis psaltria</i>	None	✓	Riparian, oak woodlands
American Goldfinch	<i>Carduelis tristis</i>	None		Weedy fields, woodlands
House Finch	<i>Carpodacus mexicanus</i>	None	✓	Riparian, grasslands, chaparral, and woodlands
Turkey Vulture	<i>Cathartes aura</i>	None	✓	Open country
Hermit Thrush	<i>Catharus guttatus</i>	None		Woodland and brush
Swainson's Thrush	<i>Catharus ustulatus</i>	None	✓	Mixed woodlands
Killdeer	<i>Charadrius vociferous</i>	None	✓	Mud flats, stream banks
Northern Flicker	<i>Colaptes auratus</i>	None	✓	Woodlands
Band-tailed Pigeon	<i>Columba fasciata</i>	None		Woodlands, urban trees
Western Wood-Pewee	<i>Contopus sordidulus</i>	None		Riparian woodlands
American Crow	<i>Corvus brachyrhynchos</i>	None		Many habitats, esp. urban
Pacific-slope Flycatcher	<i>Empidonax difficilis</i>	None	✓	Riparian, oak woodlands
Brewer's Blackbird	<i>Euphagus cyanocephalus</i>	None		Open habitats
American Kestrel	<i>Falco sparverius</i>	None	✓	Open, semi-open country
Bullock's Oriole	<i>Icterus bullockii</i>	None		Oak, riparian woodlands
Dark-eyed Junco	<i>Junco hyemalis</i>	None		Oak woodland
Acorn Woodpecker	<i>Melanerpes formicivorus</i>	None	✓	Oak woodland
Lewis's Woodpecker	<i>Melanerpes lewis</i>	Special Animal (Nesting)	✓	Pine, riparian, oak woodlands
Wild Turkey	<i>Meleagris gallopavo merriami</i>	None		Woodlands
Song Sparrow	<i>Melospiza melodia</i>	None		Oak, riparian woodland
Northern Mockingbird	<i>Mimus polyglottos</i>	None	✓	Riparian, chaparral and woodlands. Also urban
Brown-headed Cowbird	<i>Molothrus ater</i>	None		Rural areas, ranches
Ash-throated Flycatcher	<i>Myiarchus cinerascens</i>	None	✓	Open, arid habitats
Western Screech-Owl	<i>Otus kennicottii</i>	None		Oak woodland
Cliff Swallow	<i>Petrochelidon pyrrhonota</i>	None	✓	Urban; open areas near water
Phainopepla	<i>Phainopepla nitens</i>	None		Oak, riparian, scrub
Black-headed Grosbeak	<i>Pheucticus melanocephalus</i>	None		Woodlands
Yellow-billed Magpie	<i>Pica nuttalli</i>	Special Animal (Nesting)	✓	Oak savanna
Nuttall's Woodpecker	<i>Picoides nuttallii</i>	Special Animal (Nesting)	✓	Oak, riparian woodlands
Downy Woodpecker	<i>Picoides pubescens</i>	None		Oak, riparian woodlands
Hairy Woodpecker	<i>Picoides villosus</i>	None		Oak, riparian woodlands
California Towhee	<i>Pipilo crissalis</i>	None	✓	Brushy habitats
Spotted Towhee	<i>Pipilo maculatus</i>	None		Dense brushy areas

Agenda Item 3

Althouse and Meade, Inc. – 789.02

Common Name	Scientific Name	Special Status	Found On-site	Habitat Type
Western Tanager	<i>Piranga ludoviciana</i>	None	✓	Oak, riparian woodlands
Chestnut-backed Chickadee	<i>Poecile hudsonica</i>	None		Mixed woods
Bushtit	<i>Psaltriparus minimus</i>	None	✓	Woodlands, chaparral
Ruby-crowned Kinglet	<i>Regulus calendula</i>	None		Oak, riparian woodlands
Black Phoebe	<i>Sayornis nigricans</i>	None		Near water
Yellow-rumped Warbler	<i>Setophaga coronata</i>	None		Woodlands, brush, open country
Black-throated Gray Warbler	<i>Setophaga nigrescens</i>	None		Oak, riparian woodlands
Yellow Warbler	<i>Setophaga petechia brewsteri</i>	SSC	✓	Riparian woodlands
Townsend's Warbler	<i>Setophaga townsendii</i>	None		Riparian, oak woodlands
Western Bluebird	<i>Sialia mexicana</i>	None	✓	Woodland near open areas
White-breasted Nuthatch	<i>Sitta carolinensis</i>	None	✓	Oak savannah, woodland
Eurasian Collared-Dove	<i>Streptopelia decaocto</i>	None	✓	Urban areas
Western Meadowlark	<i>Sturnella neglecta</i>	None		Open habitats, grasslands
European Starling	<i>Sturnus vulgaris</i>	None	✓	Agricultural, livestock areas
Tree Swallow	<i>Tachycineta bicolor</i>	None		Oak, riparian woodlands, open areas near water
Violet-green Swallow	<i>Tachycineta thalassina</i>	None	✓	Oak, riparian woodlands, open areas near water
House Wren	<i>Troglodytes aedon</i>	None		Shrubby areas
American Robin	<i>Turdus migratorius</i>	None	✓	Streamsides, woodlands
Western Kingbird	<i>Tyrannus verticalis</i>	None	✓	Grasslands, savanna
Orange-crowned Warbler	<i>Vermivora celata</i>	None		Oak, riparian woodlands
Warbling Vireo	<i>Vireo gilvus</i>	None	✓	Oak, riparian woodlands
Hutton's Vireo	<i>Vireo huttonii</i>	None	✓	Oak, riparian woodlands
Wilson's Warbler	<i>Wilsonia pusilla</i>	None	✓	Oak, riparian woodlands
Mourning Dove	<i>Zenaida macroura</i>	None	✓	Open and semi-open habitats
Mammals – 20 Species				
Pallid Bat	<i>Antrozous pallidus</i>	SSC		Riparian, woodland, urban
Coyote	<i>Canis latrans</i>	None		Open woodlands, brushy areas, wide ranging.
Feral Cat	<i>Felis catus</i>	None	✓	Varied
Hoary Bat	<i>Lasiurus cinereus</i>	Special Animal		Variety of habitats, roosts in foliage
Striped Skunk	<i>Mephitis mephitis</i>	None		Mixed woods, brush, semi-open country
California Vole	<i>Microtus californicus</i>	None		Grassland meadows
Long-tailed Weasel	<i>Mustela frenata</i>	None		Grasslands
California Myotis	<i>Myotis californicus</i>	None		Tunnels, hollow trees, buildings, bridges.
Mule Deer	<i>Odocoileus hemionus</i>	None	✓	Many habitats

Common Name	Scientific Name	Special Status	Found On-site	Habitat Type
California Mouse	<i>Peromyscus californicus</i>	None		Oak woodland, chaparral
Deer Mouse	<i>Peromyscus maniculatus</i>	None		All dry land habitats
Broad-footed Mole	<i>Scapanus latimanus</i>	None		Grasslands, agricultural, in moist soils
California Ground Squirrel	<i>Spermophilus beecheyi</i>	None	✓	Grasslands
Brush Rabbit	<i>Sylvilagus bachmani</i>	None		Brushy habitats
Brazilian Free-tailed Bat	<i>Tadarida brasiliensis</i>	None		Variety of habitats; roosts in bridges, buildings, caves
American Badger	<i>Taxidea taxus</i>	SSC		Open country
Valley Pocket Gopher	<i>Thomomys bottae</i>	None		Variety of habitats
Gray Fox	<i>Urocyon cinereoargenteus</i>	None		Chaparral, dry woodlands
Red Fox	<i>Vulpes vulpes</i>	None		Forest and open country
San Joaquin Kit Fox	<i>Vulpes macrotis mutica</i>	FE ²		Open grasslands, scrub

8.0 Project Overview

8.1 General Discussion

The 218-acre Study Area consists of cropland, oak woodland, oak savannah, and riparian habitats. The proposed project is a General Plan amendment and Vesting Tentative Tract Map which will designate lots and an access road connecting with Wisteria Lane. Specific uses of the lots have not been proposed at this time. The site has multiple land use designations (Planned Industrial, residential Agriculture, and Parks and Open Space) and is subject to the City of Paso Robles Airport Land Use Plan Safety Zone’s 2-4. The lots would be primarily on cropland. The oak woodland and the mature cottonwoods in Huerhuero Creek provide breeding and foraging habitat for a wide variety of songbirds, raptors, and small wildlife. California ground squirrels are abundant in the cropland and oak savannah and provide an important food source for raptors. Sensitive resources detected in the Study Area include golden eagle, Cooper’s hawk, oak titmouse, Lawrence’s goldfinch, Lewis’s woodpecker, yellow-billed magpie, Nuttall’s woodpecker, and yellow warbler.

8.2 Regulatory Framework

8.2.1 CEQA guidance

The California Environmental Quality Act (CEQA) requires the lead agency to evaluate potential environmental effects of the Project. The lead agency must also identify other State and local agencies (known as responsible agencies) that will be issuing a discretionary approval subject to CEQA for an activity that is part of the Project. The following section of the State CEQA Guidelines provides general direction for the evaluation of biological resource impacts as a part of the environmental review of proposed Projects.

²FE = Federally listed endangered

CEQA Guidelines Section 15070 states that a Lead Agency shall prepare or have prepared a mitigated negative declaration for a Project subject to CEQA when the initial study shows that “there is no substantial evidence, in light of the whole record before the agency, that the Project may have a significant effect on the environment, or the initial study identifies potentially significant effects but revisions in the Project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and there is no substantial evidence in light of the whole record before the agency, that the Project as revised may have a significant effect on the environment.”

The following definition of a significant effect is defined in Section 15382 of the CEQA Guidelines, “Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the Project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.”

8.2.2 Federal and state resource protections

The agencies that administer the Federal Endangered Species Act (FESA) and California Endangered Species Act (CESA) formally list plant and animal species determined to be Threatened or Endangered, and they have adopted regulations to implement these laws to protect such species.

Other federal statutes that provide protection for species and/or their habitats include, but are not limited to, the National Environmental Policy Act (NEPA), the Clean Water Act (for protection of federal wetlands), Bald and Golden Eagle Protection Act (BGEPA), Migratory Bird Treaty Act (MBTA), Executive Order 11990 (wetlands protection), and California Fish and Game Code Sections 1601, 1602, and 1603 (Streambed Alteration Agreements).

9.0 Potential Impacts to Biological Resources

Construction of the Project could affect common and special status species, nesting birds, oak trees, and cropland habitat. Buildable lots would be designated in what is currently cropland habitat. Remainder lots would be designated for areas encompassing oak woodland and ephemeral drainages. Riparian habitat is not expected to be impacted by the Project.

9.1 Potential Habitat Impacts

9.1.1 Cropland

The proposed Project would impact approximately 80 acres of cropland. The cropland is highly disturbed habitat that provides poor foraging habitat for songbirds, raptors, and small mammals. Depending on ground squirrel control practices, it provides foraging habitat for breeding golden eagles, which nest on private property west of the Study Area. Regular tilling of the cropland in the Study Area makes cropland an inconsistent resource for flora and fauna. This is not a sensitive habitat type and does not require mitigation, however several mature oak trees are scattered throughout the cropland. Impacts to these oak trees would require mitigation (refer to Section 10.2). Ground nesting birds such as Meadow lark could occur in dry grain crops. A survey for nesting birds is recommended prior to tree removal in the Study Area (refer to Sections 10.3 and 10.4.1).

9.1.2 Oak woodland

The proposed lot plan would avoid oak woodlands in buildable lots. Oak trees in the Study Area provide habitat for a wide variety of common and sensitive bird species, herpetofauna, bats, and small mammals. A survey for nesting birds, bats and legless lizards is recommended prior to any tree removal in the Study Area (refer to Sections 10.3 and 10.4.2). Impacts to oak trees require mitigation (refer to Section 10.2).

9.1.3 Oak savannah

Based on preliminary project plans, no impact to oak savannah would occur. The slope of the embankment on which oak savannah occurs is outside of proposed lots. However, impacts may occur to oaks located within the designated lots and road. Ground disturbance within one-and one-half the canopy diameter of oak trees, or removal of oak trees requires mitigation (refer to Section 10.2). Oak trees in the Study Area provide habitat for a wide variety of common and sensitive bird species, herpetofauna, bats, and small mammals. A survey for nesting birds, bats and legless lizards is recommended prior to any tree removal in the Study Area (refer to Sections 10.3 and 10.4).

9.1.4 Ephemeral drainage

Ephemeral drainages occur within the oak woodland habitats. No impacts to ephemeral drainages are proposed by the current plan.

9.1.5 Riparian

Impacts to riparian habitat are not expected to occur as proposed development will occur away from the channel and floodplain of Huerhuero Creek.

9.2 Potential Impacts to Oak Trees

The City of Paso Robles requires mitigation for removal of oak trees with a diameter at breast height (DBH) of 6 inches or greater. Diameter at breast is measured at 4.5 feet from the ground or, if the trunk is split below 4 feet, at the narrowest point below the split. Impacts include any ground disturbance within the critical root zone (CRZ), or any trimming of branches 4 inches in diameter or greater. The critical root zone (CRZ), as defined by the City of Paso Robles, is an area of root space that is within a circle circumscribed around the trunk of a tree using a radius of 1 foot per inch DBH, e.g., a 20-inch diameter tree has a CRZ with a radius of 20 feet as measured from the center of the tree (City of El Paso de Robles - Ordinance No. 835 N.S). This measurement often extends beyond the actual drip-line of the tree.

Oak trees could be impacted by the proposed Project.

9.3 Potential Impacts to Nesting Birds

Vegetation removal and construction activities associated with the proposed development could result in adverse impacts to nesting birds if conducted during nesting season (March 15 through August 15). Impacts to nesting birds are expected to be highest where oak trees are removed. Many songbird and raptor species nest in oak trees in the Study Area. The potential for oak tree removal to adversely affect nesting birds can be reduced (see Sections 10.3 and 10.4).

9.4 Potential Impacts to Special Status Species

9.4.1 Special status plants

Special status plants were not found in the Study Area and are not expected to occur. The proposed Project would affect cropland habitat, not areas where special status plants could occur.

9.4.2 Silvery legless lizard

Silvery legless lizards could occur in the Study Area in areas of sandy soil and leaf litter in oak woodland and oak savannah. Potential impacts to silvery legless lizards can be reduced if pre-construction surveys are conducted (refer to Section 10.4).

9.4.3 Special status birds

Nuttall's woodpecker, oak titmouse, yellow-billed magpie, Lawrence's goldfinch, all nest or are likely to nest in oak trees in the Study Area. Cooper's hawk was observed in the Study Area, and could potentially nest there. These species could be adversely effected by the removal of oak trees. Other special status birds are known from the region, but are unlikely to nest onsite, such as Swainson's hawk. Lewis' woodpecker and ferruginous hawk are winter residents, the Project could result in a net loss of wintering habitat in the Paso Robles region.

Golden eagles nest approximately 1,500 feet west of the proposed lots, but could nest closer in the future. They forage in the cropland and oak savannah habitats in the Study Area. Loss of foraging habitat may have cumulative impacts in the Paso Robles region. The Project is not expected to cause injury to golden eagles or any nest abandonment or any substantial interference with breeding or sheltering behavior. Potential impacts to golden eagles can be reduced (refer to Section 10.4).

9.4.4 Preconstruction surveys are recommended prior to activities that affect trees during the nesting season, March 15 to August 15 (refer to Section 10.3 and 10.4). American badger

American badger could occur in fallow cropland, along dirt roads, or in oak savannah habitat in the Study Area. Removal of cropland habitat and other construction activities associated with the Project could impact badgers. Preconstruction surveys are recommended to reduce potential impacts to badgers (refer to Section 10.4).

9.4.5 Bats

Pallid bat and hoary bat are special status bat species that could occur in the Study Area. Both are known to roost in tree hollows. The Study Area does contain large trees with hollows that may be used for roosting habitat. Maternal bat colonies are protected by the California Department of Fish and Wildlife but are not expected to occur in the Study Area. Removal of oak trees and snags could affect pallid and hoary bats, if present. Adverse impacts to special status bats and maternal bat colonies can be avoided (refer to Section 10.4).

9.4.6 San Joaquin kit fox

Cropland and oak savanna habitat in the Study Area is potential habitat for kit fox, and is within the area designated by the CDFW as a 3 to 1 mitigation area. A San Joaquin kit fox habitat evaluation form should be prepared once the project plans are finalized to determine appropriate compensatory mitigation. Standard County mitigation and protection measures for SJKF are provided in Section 10.4.6.

10.0 Recommendations and Mitigations

Oak habitats and special status species are present in the Study Area. This section provides recommendations and mitigations to reduce the effect of the Project on biological resources. Where potentially adverse impacts to biological resources could occur during construction of the Project or due to the presence of the Project, we provide biological resource (BR) potential mitigation measures designed to offset the adverse effect.

10.1 Habitats

We provide the following recommendations to avoid, minimize and/or mitigate potential Project effects on habitats. Mitigation recommendations provided in Sections 10.3 and 10.4 address potential adverse effects of habitat removal on special status species and nesting birds.

10.1.1 Cropland

Loss of cropland habitat usually does not require mitigation except where it affects special status species or important wildlife populations. Refer to Sections 10.3 and 10.4 for mitigation recommendations for special status species that could occur in cropland habitat.

10.1.2 Oak woodland

The proposed project would not affect oak woodland habitat. Impacts to individual oak trees could occur, and mitigation recommendations are provided in Section 10.2.

10.2 Individual Oak Tree Impacts

Impacts to or removal of native oak trees in the City of Paso Robles can typically be mitigated by planting additional trees on-site. Large mature coast live oaks (dbh greater than 25 inches) with high aesthetic and habitat significance should be preserved wherever possible in subsequent plans to develop the property. Protection measures should be implemented to minimize impacts, and protect the tree for the long-term.

If project construction requires impacts or removal of oak trees on the Property, or if work is conducted within 50 feet of the oak canopy, the following standard mitigation recommendations shall be implemented, as appropriate.

- BR-1.** The canopy edge and trunk location of oak trees within 50 feet of proposed construction on the Property shall be surveyed by a licensed land surveyor and placed on all plan sets. Tree assessments should be conducted by a certified arborist or qualified botanist. Data collected for the tree shall include diameter at breast height (4.5 feet) of each stem/trunk, canopy diameter, tree height, tree health, and habitat notes (cavities for birds or bats), raptor nests, wood rat nests, and unique features. The tree map shall be used to determine impacts to trees from the project and will inform the mitigation plan.
- BR-2.** Impacts to the oak canopy or critical root zones (CRZ) should be avoided where practicable. Impacts include pruning, ground disturbance within the CRZ, and trunk damage.
- BR-3.** Prior to ground breaking, tree protection fencing shall be installed as close to the outer limit of the CRZ as practicable for construction operations. The fencing shall be in

place throughout the duration of the project, and removed only under the direction of the project environmental monitor or arborist, while demolition is in progress.

- BR-4.** Trenching within the CRZ must be approved by the project arborist, and shall be done by hand or with an air spade. Any roots exposed by demolition shall be treated by a tree care specialist and covered with a layer of soil to match existing topography.
- BR-5.** Landscape material within the CRZ must be of native, drought tolerant species. Lawns are prohibited within the CRZ.
- BR-6.** Paving adjacent to and within the CRZ shall utilize interlocking pavers or equivalent that will allow proper infiltration of water and exchange of oxygen to the root zone of the tree.
- BR-7.** Tree removal, if approved, shall commence within 30 days of inspection by a qualified biologist to determine the tree is not being used by nesting birds or bats at the time of removal.
- BR-8.** Impacts to oak trees shall be assessed by a licensed arborist or qualified botanist prior to final inspection, and reported to the County.
- BR-9.** Impacts to oaks shall be mitigated by planting additional trees on site. Any oak tree with a dbh of five inches or greater shall require mitigation. Oaks removed shall be replaced in kind at a 4:1 ratio. Impacts to oaks shall be mitigated by planting additional oak trees, in kind, at a 2:1 ratio. Replacement trees shall be of one gallon size, of local origin, and of the same species as was impacted. Replacement trees shall be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least seven years.
- BR-10.** Replacement trees should be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least 7 years. Replacement trees shall be the same species as the tree impacted or removed, and of local origin.

10.3 Nesting Birds

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 (as defined therein) of all native birds and their active nests, including raptors and other migratory non-game birds (as listed under the Federal MBTA). The proposed Project could impact nesting birds if construction occurs between March 15 and August 15.

- BR-11.** Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during the breeding season from March 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 active raptor nests. 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. A map of the Project site and nest locations shall be included with the report. The Project biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.

10.4 Avoidance, Minimization, and Mitigation for Special Status Species

10.4.1 *Special status plants*

No impacts to special status plants are expected from the proposed project; therefore no mitigations are required.

10.4.2 *Silvery legless lizard*

Silvery legless lizard could occur in the Study Area in areas of sandy soil and leaf litter. To minimize potential impacts to this species, the following mitigation measure is recommended:

BR-12. A focused preconstruction survey for legless lizards shall be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by the project biologist. The preconstruction survey shall be conducted by a qualified biologist familiar with legless lizard ecology and survey methods, and with approval from California Department of Fish and Game to relocate legless lizards out of harm's way. The scope of the survey shall be determined by a qualified biologist and shall be sufficient to determine presence or absence in the project areas. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If legless lizards are found to be present in the proposed work areas the following steps shall be taken:

- Legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas.
- Construction monitoring shall be required for all new ground-breaking activities located within legless lizard habitat. Construction monitors shall capture and relocate horned lizards as specified above.
- A letter report shall be submitted to the County and CDFW within 30 days of legless lizard relocation, or as directed by CDFW.

10.4.3 *Special status birds*

In order to reduce the potential for disturbance of special status birds during nesting season, the applicant shall implement BR-11 one week prior to ground disturbance or tree pruning activities that occur during the nesting season (refer to Section 10.3). If nests of sensitive birds are identified in the work area, the following additional mitigation measures shall be implemented:

BR-13. Occupied nests of special status bird species shall be mapped using GPS or survey equipment. Work shall not be allowed within a 100 foot buffer for songbirds and 300 for nesting raptors while the nest is in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas

BR-14. Occupied nests of special status bird species that are within 100 feet of project work areas shall be monitored at least every two weeks through the nesting season to document nest success and check for project compliance with buffer zones. Once burrows or nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work may commence in these areas.

10.4.4 American badger

American badger could occur in the project areas. Project activities including grading and other excavation work could result in take of American badger adults or young, or disturbance of natal dens and abandonment by adult badgers. To reduce this potential impact the following measure is recommended.

BR-15. A preconstruction survey shall be conducted within thirty days of beginning work on the site to identify if badgers are using the site. The results of the survey shall be sent to the project manager and the County of San Luis Obispo. 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 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

10.4.5 Bats

Roosting bats and/or maternal bat colonies may be present in trees with appropriate cavities or loose bark.

BR-16. Prior to removal of any trees over 20 inches DBH, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. If a non-maternal roost is found, the qualified biologist, with prior approval from California Department of Fish and Game, will install one-way valves or other appropriate passive relocation method. For each occupied roost removed, one bat box shall be installed in similar habitat and should have similar cavity or crevices properties to those which are removed, including access, ventilation, dimensions, height above ground, and thermal conditions. Maternal bat colonies may not be disturbed.

10.4.6 San Joaquin kit fox

The proposed General Plan Amendment and Vesting Tentative Tract Map would create lots on cropland habitat. Dry grain cropland is a habitat type that San Joaquin kit fox (SJKF) can occupy. The following standard mitigation measures for San Joaquin kit fox would apply to projects built in the Study Area.

A San Joaquin kit fox habitat evaluation has been prepared for the project that identifies specific habitat impacts and determines appropriate compensatory mitigation (as per BR-14). The SJKF habitat evaluation form (attached as Exhibit A) includes an exhibit map that delineates areas of the project that will be impacted and/or removed as usable SJKF habitat. Only areas that will be impacted by the project and/or removed as habitat for SJKF are included in the mitigation requirement on the kit fox evaluation form. The final area of impact was determined by the project engineer and is shown in the Project Summary table in Exhibit A.

The SJKF habitat evaluation form produced a score of 65 for the project site. This score is equivalent to a 2 to 1 mitigation ratio for mitigation acres to impacted acres (within the 2 to 1 mitigation requirement of 60 to 69 score result bracket). Therefore, the mitigation requirement would be two-times the impacted area (55.84 acres), or 111.68 acres, or 111.68 SJKF mitigation credits.

Additional standard mitigation measures provided below (BR-18 through BR-27) contribute to reducing impacts to San Joaquin kit fox.

BR-17. Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of Paso Robles, Community Development Department (City) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of **111.68** 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 Wildlife (Department) and the City.

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

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

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to “The Nature Conservancy”, would total

\$279,200. This fee is calculated based on the current cost-per-unit of \$2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to City permit issuance and initiation of any ground disturbing activities.

- c. Purchase **111.68** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total **\$279,200**. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to City permit issuance and initiation of any ground disturbing activities.

BR-18. 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, diking, 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-28. 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 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.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the City Planning Division.

BR-19. 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-20. 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-21.** 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-22.** 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-23.** 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-24.** 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-25.** 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-26.** 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

Agenda Item 3

Althouse and Meade, Inc. – 789.02

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-27. 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

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

Monitoring (San Joaquin Kit Fox Measures BR-17 to BR-27): Compliance will be verified by the City of Paso Robles, Planning Division in consultation with the California Department of Fish and Wildlife. As applicable, each of these measures shall be included on construction plans.

11.0 References

- Althouse and Meade, Inc. 2004. Preliminary Biological Assessment of the Olson Ranch Specific Plan Area, Paso Robles, San Luis Obispo County. November.
- Althouse and Meade, Inc. 2006. San Joaquin Kit Fox Survey Using the Protocol for the Northern Range. Survey Results Report for the Chandler Ranch Area Specific Plan Properties, Paso Robles, San Luis Obispo County, California. December.
- Althouse and Meade, Inc. 2007. Arroyo Toad (*Bufo californicus*) Protocol Survey Site Assessment for the Fox Hollow Sports Facility, APN 025-371-019, Paso Robles, San Luis Obispo County, California. June
- Althouse and Meade, Inc. 2007. Biological Report for River Oaks II and College Station, City of El Paso de Robles, San Luis Obispo County, California. June.
- Althouse and Meade, Inc. 2008. San Joaquin Kit Fox Survey Using the Protocol for the Northern Range. Survey Results Report for the Shandon Community Plan Update Area, Shandon, San Luis Obispo County, California. January.
- Althouse and Meade, Inc. 2008. San Joaquin Kit Fox Survey Using the Protocol for the Northern Range, Report for Early Evaluation of the Paso Robles Motorcoach Resort, Golden Hill Road, City of El Paso de Robles, California. October.
- Althouse and Meade, Inc. 2009. Biological Report for Epoch Winery, approximately 48 acre portion of APN 026-293-029 & -030, 2555 Peachy Canyon Road, San Luis Obispo County, California. October.
- Baldwin, B. G., D. H. Goldman, D. J. Keil, R. Patterson, T. J. Rosatti, and D. H. Wilken, editors. 2012. The Jepson Manual: Vascular Plants of California, Second Edition. University of California Press, Berkeley.
- Biosystems. 1991. San Joaquin Kit Fox Survey of Chandler Ranch. Paso Robles, San Luis Obispo County, California. August.
- California Department of Fish and Wildlife (CDFW). 2000. Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities. Revised May 8, 2000.
- California Department of Fish and Wildlife (CDFW). November 24, 2009. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities.
- California Department of Fish and Wildlife (CDFW), Natural Diversity Database. 2011. Special Animals List (898 taxa). State of California, The Resources Agency. January.
- California Department of Fish and Wildlife (CDFW), Natural Diversity Database. 2012. Special Vascular Plants, Bryophytes, and Lichens List. Quarterly Publication. 86 pp. May.
- California Department of Fish and Wildlife (CDFW). November 24, 2009. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities.

Agenda Item 3

Althouse and Meade, Inc. – 789.02

- California Natural Diversity Database (CNDDDB) Rarefind. 2012. The California Department of Fish and Wildlife Natural Diversity Data Base, version 3.1.1 November 2, 2012 data.
- California Native Plant Society (CNPS). December 9, 1983, revised June 2, 2001. CNPS Botanical Survey Guidelines. California Native Plant Society.
- California Native Plant Society (CNPS). 2012. Inventory of Rare and Endangered Plants (online edition, v8-01a). California Native Plant Society. Sacramento, CA. Accessed on Monday, December 03, 2012.
- Consortium of California Herbaria website. 2011. Regents of the University of California. <http://ucjeps.berkeley.edu/consortium/>
- Harvey, Michael J., J. Scott Altenbach, and Troy L. Best. 2011. Bats of the United States and Canada. Johns Hopkins University Press, Baltimore, Maryland.
- Hickman, James C. 1993. The Jepson Manual. University of California Press, Berkeley and Los Angeles, California.
- Holland, V.L. and David J. Keil. 1995. California Vegetation. Kendall/Hunt Publishing Company, Dubuque, Iowa.
- Hoover, Robert F. 1970. The Vascular Plants of San Luis Obispo County, California. University of California Press. Berkeley, Los Angeles, and London.
- Ingles, Lloyd G. 1965. Mammals of the Pacific States; California, Oregon, Washington. Stanford University Press, Stanford, California.
- Kays, Roland W. and Don E. Wilson. 2002. Princeton Field Guides, Mammals of North America. Princeton University Press, Princeton and Oxford.
- Murie, Olaus J. 1974. Peterson Field Guides, Animal Tracks. Houghton Mifflin Company, Boston, New York.
- Pierson, E. D., P. W. Collins, W. E. Rainey, P. A. Heady, and C. J. Corben. 2002. Distribution, Status and Habitat Associations of Bat Species on Vandenberg Air Force Base, Santa Barbara County, California. Santa Barbara Museum of Natural History Technical Reports – No. 1.
- Sawyer, John O., Todd Keeler-Wolf, and Julie M. Evens. 2009. A Manual of California Vegetation, Second Edition. California Native Plant Society, Sacramento, California.
- Schuford, David W. and Thomas Gardali, Editors. 2008. California Bird Species of Special Concern: A Ranked Assessment of Species, Subspecies, and Distinct Populations of Birds of Immediate Conservation Concern in California. Studies of Western Birds No. 1. Western Field Ornithologists, Camarillo, California, and California Department of Fish and Wildlife, Sacramento.
- Sibley, David Allen. 2001. The Sibley Guide to Bird Life & Behavior. National Audubon Society. Alfred A. Knopf, New York.
- Stebbins, Robert C. 2003. Peterson Field Guides Western Reptiles and Amphibians, 3rd edition. Houghton Mifflin Company, Boston, New York.
- Soil Survey Staff, Natural Resources Conservation Service (NRCS), United States Department of Agriculture (USDA). 2008. Soil Survey Geographic (SSURGO) Database for San Luis

Agenda Item 3

Althouse and Meade, Inc. – 789.02

Obispo County, Coastal Part, CA. Available online at <http://soildatamart.nrcs.usda.gov>.
Tabular data version 4, Spatial data version 1, January 2008.

United States Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS). 1984. Soil Survey of San Luis Obispo County, California, Coastal Part.

United States Department of Agriculture (USDA). 2012. Aerial photomosaic of San Luis Obispo County. National Agriculture Imagery Program (NAIP).

United States Fish and Wildlife Service. January 2000. Guidelines for Conducting and Reporting Botanical Inventories for Federally, Proposed, and Candidate Species.

12.0 Photographs



Photo 1. View south of grazed cropland and adjacent riparian habitat lining Huerhuero Creek. Photo taken 1/22/14.



Photo 2. View west of the blue oak dominated woodland in the western portion of the Study Area. Photo taken 4/17/14.



Photo 3. View south of cropland and Huerhuero Creek. Photo taken 4/17/14.

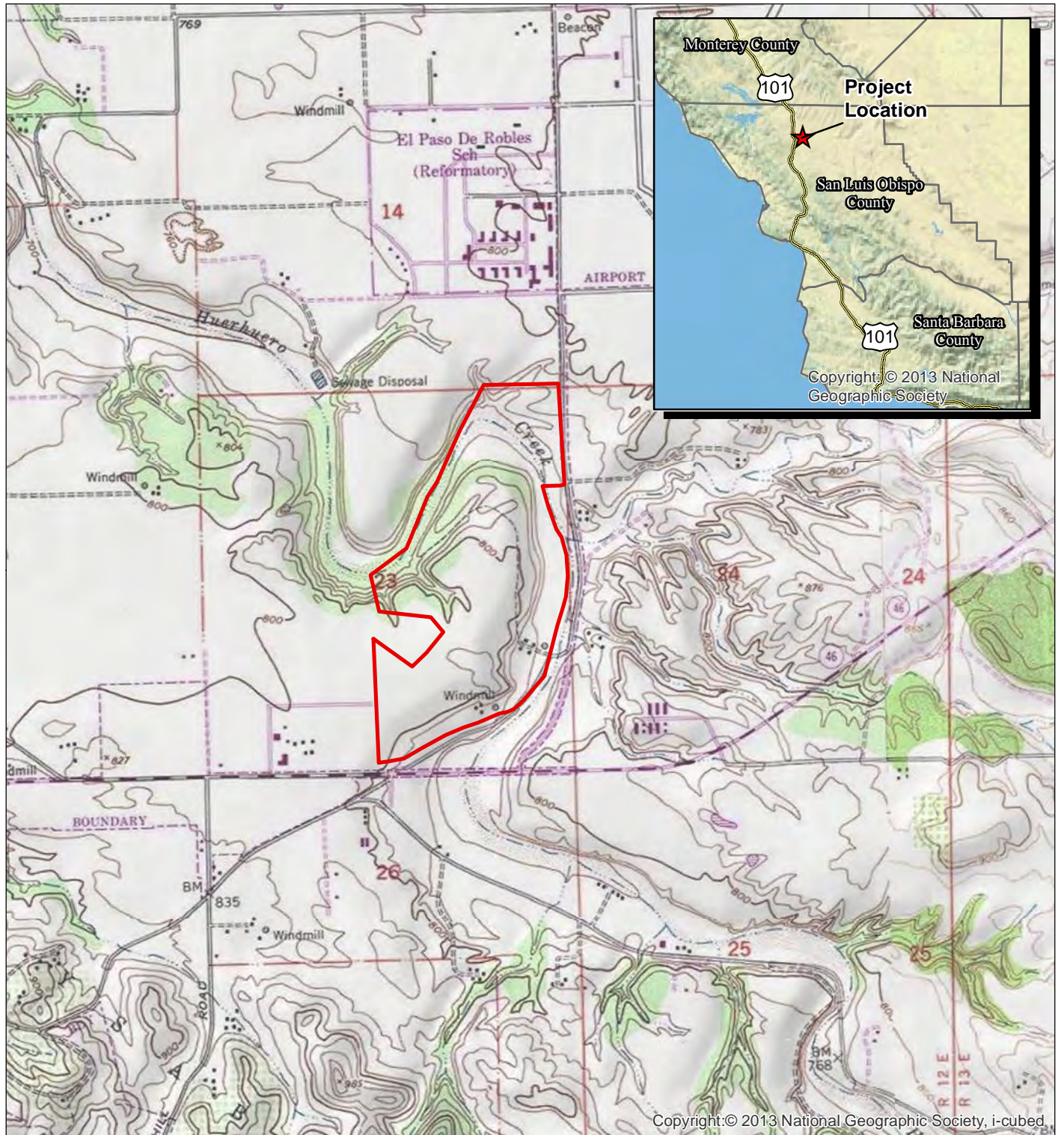


Photo 4. View north of planted cropland near the center of the Study Area. Photo taken 5/22/14.


13.0 Figures

- Figure 1. USGS Topographic Map
- Figure 2. Aerial Photograph
- Figure 3. USDA Soil Map Units
- Figure 4. CNDDDB and USFWS Critical Habitat Map
- Figure 5. Habitat Map

Figure 1. USGS Topographic Map



Legend

 Study Area

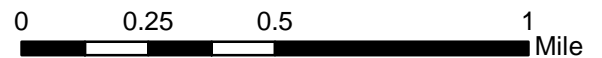



Figure 2. Aerial Photograph



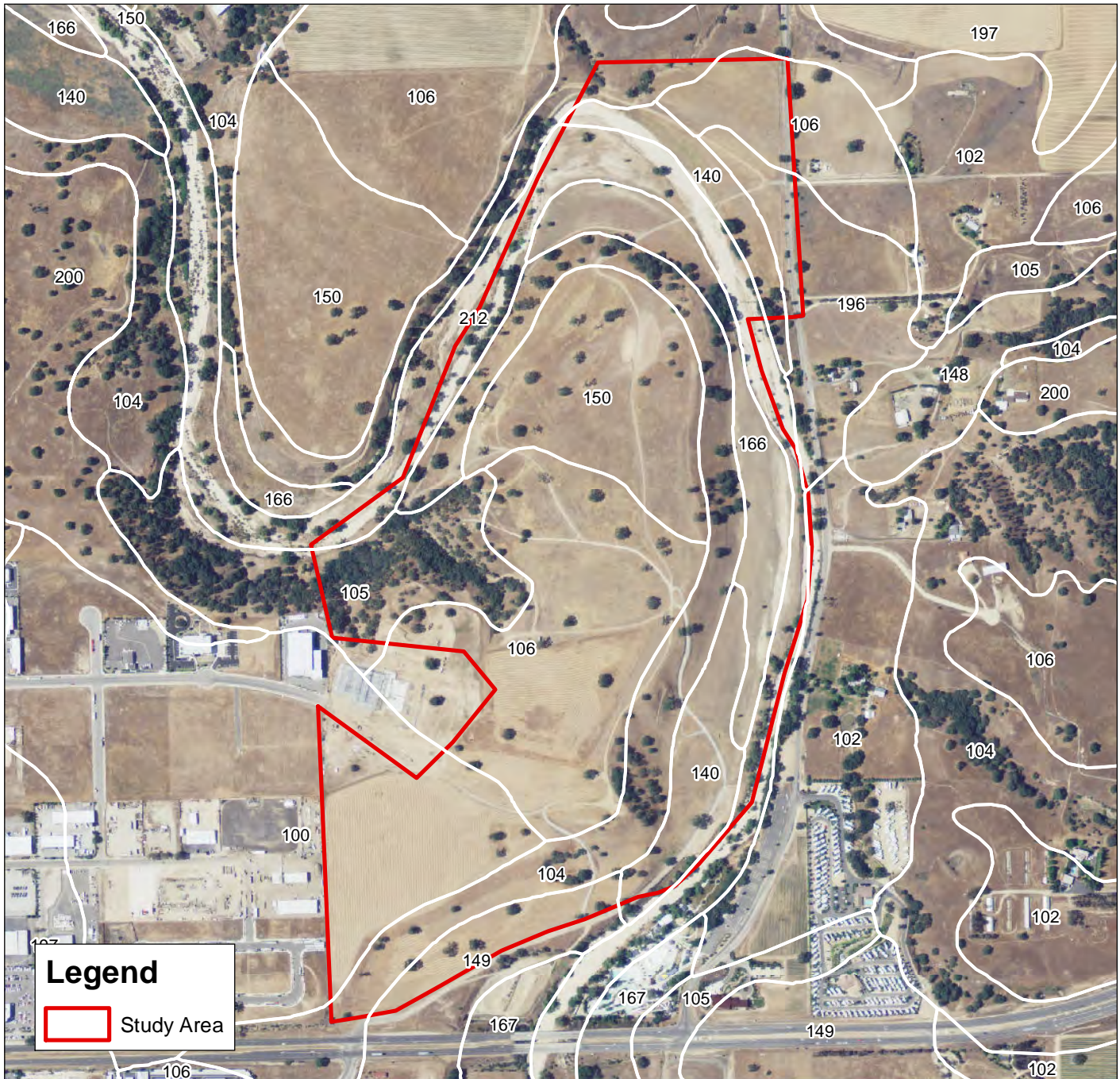
Legend

 Study Area

0 500 1,000 2,000 Feet



Figure 3. USDA Soils Map



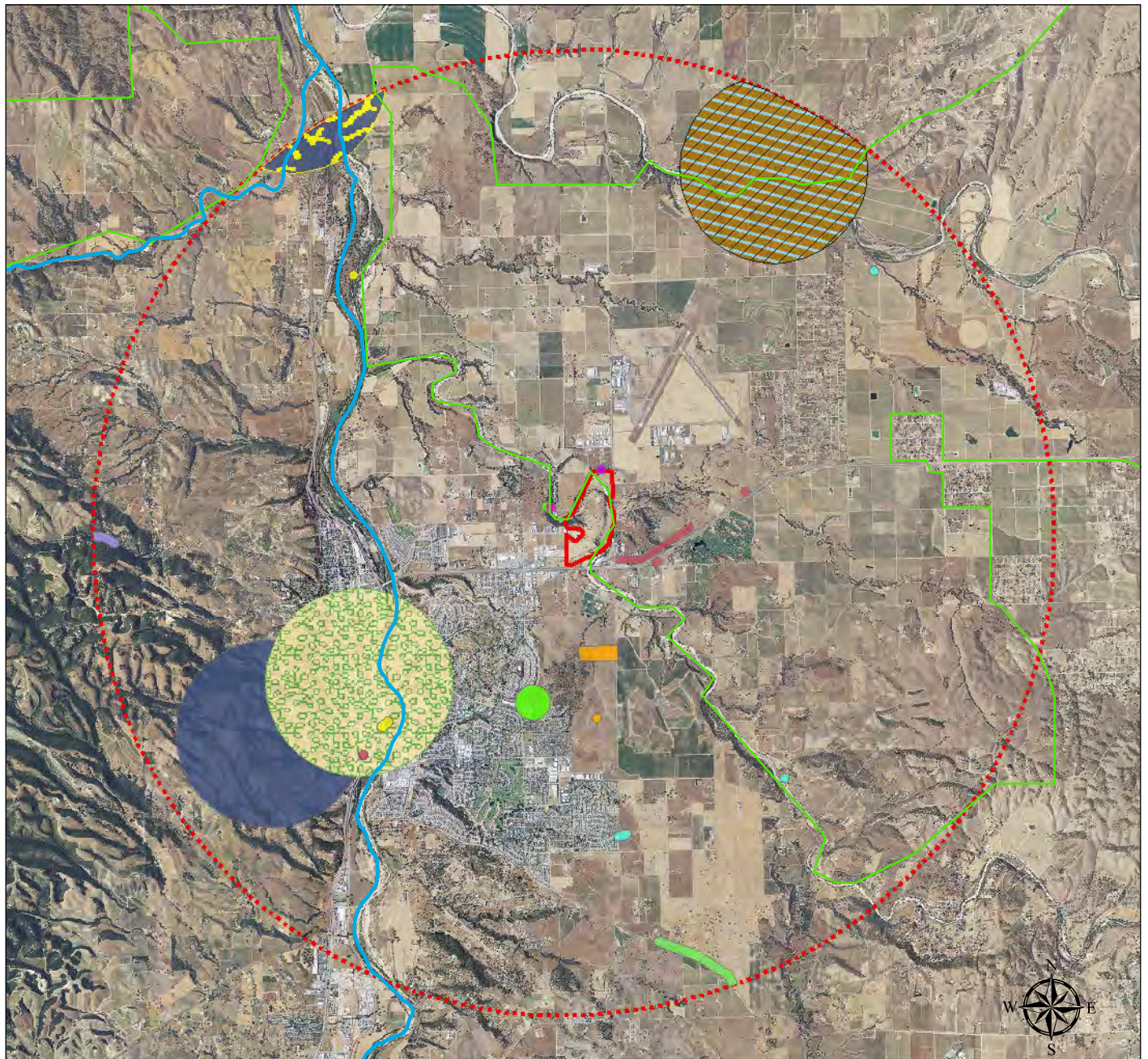
- 100: Arbuckle fine sandy loam, 0 to 2 percent slopes
- 102: Arbuckle-Positas complex, 9 to 15 percent slopes
- 104: Arbuckle-Positas complex, 30 to 50 percent slopes
- 105: Arbuckle-Positas complex, 50 to 75 percent slopes
- 106: Arbuckle-San Ysidro complex, 2 to 9 percent slopes
- 140: Elder loam, 0 to 5 percent slopes, flooded

- 148: Hanford and Greenfield soils, 2 to 9 percent slopes
- 149: Hanford and Greenfield gravelly sandy loams, 0 to 2 percent slopes
- 150: Hanford and Greenfield gravelly sandy loams, 2 to 9 percent slopes
- 166: Metz loamy sand, 0 to 5 percent slopes
- 167: Metz-Tujunga complex, occasionally flooded, 0 to 5 percent slopes
- 196: San Ysidro sandy loam, 2 to 9 percent slopes
- 197: San Ysidro loam, 0 to 2 percent slopes
- 200: Sesame sandy loam, 9 to 30 percent slopes
- 212: Xerofluvents-Riverwash association

0 500 1,000 2,000 Feet



Figure 4. CNDDDB & FWS Critical Habitat Map



FWS Critical Habitat

- Steelhead critical habitat
- Vernal pool fairy shrimp critical habitat

CNDDDB

- Atascadero June beetle
- Jared's pepper-grass
- Lemmon's jewelflower

- Lompoc grasshopper
- San Joaquin kit fox
- San Joaquin pocket mouse
- 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

- 5 Mile Radius
- Study Area

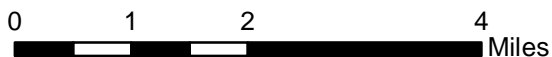
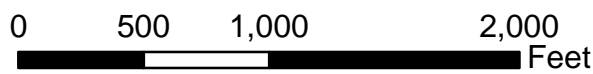
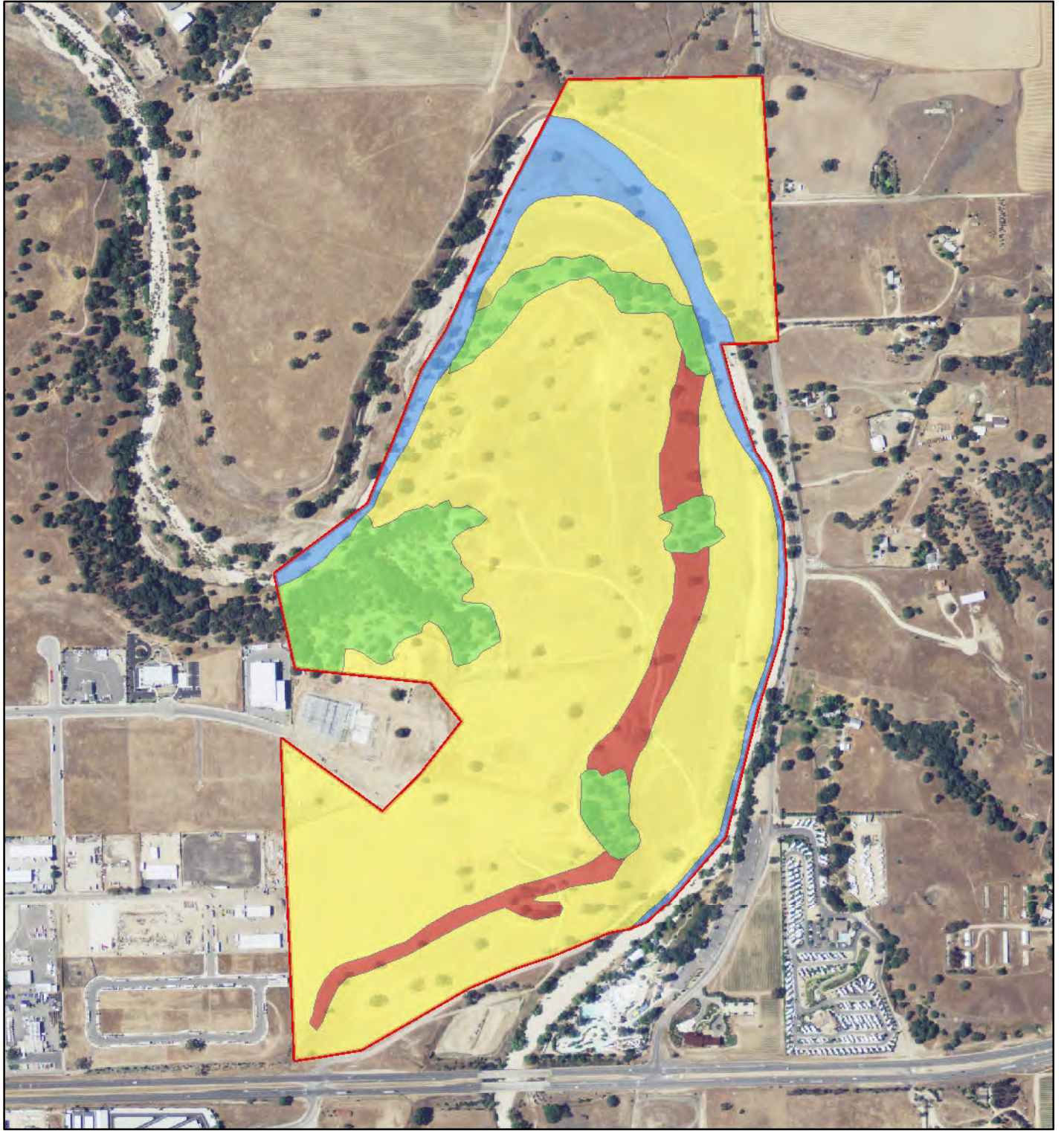




Figure 5. Habitat Map



 Cropland  Oak Savannah  Oak Woodland  Riparian  Study Area



14.0 Exhibit A

San Joaquin Kit Fox Habitat Evaluation Form

Agenda Item 3

Althouse and Meade, Inc. – 789.02

Kit Fox Habitat Evaluation Form

Cover Sheet

Project Name Vesting Tentative Tract 3069

Project Location*

Wisteria Lane
Paso Robles

*Include project vicinity map and project boundary on copy of U.S.G.S. 7.5. minute map (size may be reduced)

U.S.G.S. Quad Map Name Paso Robles

Lat/Long or UTM coordinates (if available) N 35.6513°
W 120.6443°

Project Description:

General Plan Amendment / 13 Lot Subdivision to Facilitate Future Commercial / Industrial Development

Project Size: **55.84 acres** Amount of Kit Fox Habitat Affected: **55.84 acres**

Quantity of WHR Habitat Types Impacted (i.e. – 2 acres annual grassland, 3 acres blue oak woodland)

WHR type **Fallow ag or grain or grain/alfalfa crops** **55.84 acres**

Comments: Dry farmed grain operations onsite since 2008.

The attached Kit Fox Mitigation Area Map and Project Summary table show the project areas of impact that require mitigation for kit fox.

A general site map showing roads and lots is also included.

Form Completed by:



Revised 03/02

Agenda Item 3

Althouse and Meade, Inc. – 789.02

San Joaquin Kit Fox Habitat Evaluation Form

Is the project within 10 miles from a recorded San Joaquin kit fox observation or within contiguous suitable habitat as defined in Question 2(A-E)?

YES – Continue with evaluation form

NO – Evaluation form/surveys are not necessary

1. Importance of the project area relative to Recovery Plan for Upland Species of the San Joaquin Valley, California (Williams et al, 1998).
 - A. Project would block or degrade an existing corridor linking core populations or isolate a subpopulation (20).**
 - B. Project is within a core population (15)
 - C. Project area is identified within satellite population (12)
 - D. Project area is within a corridor linking satellite populations (10)
 - E. Project area is not within any of the previously described areas but is within known kit fox range (5)
2. Habitat characteristics of the project area.
 - A. Annual grassland or saltbush scrub present >50% of site (15)
 - B. Grassland or saltbush scrub present but comprises <50% of project area (10)
 - C. Oak savannah present on >50% of site (8)
 - D. Fallow ag fields or grain/alfalfa crops (7)**
 - E. Orchards/vineyards (5)
 - F. Intensively maintained row crops or suitable vegetation absent (0)
3. Isolation of project area
 - A. Project area surrounded by contiguous kit fox habitat as described in Question 2a-e (15)
 - B. Project area adjacent to at least 40 acres of contiguous habitat or part of an existing corridor (10)**
 - C. Project area adjacent to <40 acres of habitat but linked by existing corridor (i.e.-river, canal, aqueduct) (7)
 - D. Project area surrounded by ag but less than 200 yards from habitat (5)
 - E. Project area completely isolated by row crops or development and is greater than 200 yards from potential habitat (0)
4. Potential for increased mortality as a result of the project implementation. Mortality may come from direct (e.g. – construction related) or indirect (e.g. –vehicle strikes due to increases in post development traffic) sources.
 - A. Increase in mortality likely (10)
 - B. Unknown mortality effects (5)**
 - C. No long term effect on mortality (0)
5. Amount of potential kit fox habitat affected
 - A. > 320 acres (10)
 - B. 160-319 acres (7)
 - C. 80-159 acres (5)
 - D. 40-79 acres (3)**
 - E. <40 acres (1)

Agenda Item 3

Althouse and Meade, Inc. – 789.02

6. Results of project implementation
 - A. Project site will be permanently converted and will no longer support foxes (10)**
 - B. Project area will be temporarily impacted but will require periodic disturbance for ongoing maintenance (7)
 - C. Project area will be temporarily impacted and no maintenance necessary (5)
 - D. Project will result in changes to agricultural crops (2)
 - E. No habitat impacts (0)

7. Project shape
 - A. Large block (10)**
 - B. Linear with >40 foot right-of way (5)
 - C. Linear with <40 foot right-of-way (3)

8. Have San Joaquin kit foxes been observed within 3 miles of the project area within the last 10 years?
 - A. Yes (10)
 - B. No (0)**

Scoring

1. Recovery importance	20
2. Habitat condition	7
3. Isolation	10
4. Mortality	5
5. Quantity of habitat impacted	3
6. Project results	10
7. Project shape	10
8. Recent observations	<u>0</u>
Total	65

Agenda Item 3



sage institute

Central Coast Office
1320 Van Beurden Drive, Suite 202-D4
Los Oso, CA 93402
Tel 805.434.2804 fax 805.980.5886

sage@sageii.com
www.sageii.com

April 13, 2018

Carol Florence, AICP
Principal Planner, Oasis Associates
3427 Miguelito Court
San Luis Obispo, CA 93401

SUBJECT: BIOLOGICAL RESOURCES ASSESSMENT ADDENDUM #1 FOR THE JUSTIN VINEYARDS AND WINERY, LLC, WISTERIA 3 PROJECT, IN THE CITY OF EL PASO DE ROBLES, CA

Dear Carol:

Sage Institute, Inc. (SII) is pleased to submit Biological Resources Assessment Addendum #1 (BA Addendum #1) for the Justin Vineyards and Winery Wisteria 3 project in the City of El Paso de Robles (City). I have prepared this report based on our discussions, information you provided on previous biological resources reports, and in response to the March 8, 2018 Memorandum from Darren Nash, Associate Planner with the City. It is our understanding that the City is requesting additional information and clarification for the Wisteria 3 project site biological resources and mitigation measures that were addressed in the following two reports:

- Althouse and Meade, Inc., August 10, 2011 letter report regarding biological resources, *Erskine property, Golden Hill Industrial Park expansion*. (A&M 2011)
- *Biological Report for Wisteria Lane Project, General Plan Amendment and Vesting Tentative Tract Map, Paso Robles, California*, Althouse and Meade, Inc. August 2014, as revised 4-14-16. (A&M 2016)

The above two Althouse and Meade, Inc., reports are hereby incorporated by reference into this BA Addendum #1. SII will continue nesting bird surveys focused on the Lewis's woodpecker until May 15th and will provide the results in a Biological Resources Assessment Addendum #2 report.

SII Principal Ecologist David Wolff reviewed the A&M 2011 and A&M 2016 biological studies and available Google Earth aerial photographs dating back to 1994 of the Wisteria 3 project site, and conducted a walking field survey of the site on April 12, 2018. SII Biologist Matthew Beyers conducted a field survey on April 4 and 13, 2016 to document habitat conditions and initiate nesting bird surveys within the project area. The following is based on these methods.

WISTERIA 3 PROJECT SITE EXISTING CONDITIONS

The Wisteria 3 project site was included in both the A&M 2011 and A&M 2016 biological resources study areas that thoroughly evaluated site conditions, documented plant and wildlife species observed, and analyzed the probability for occupation by special-status plant or wildlife species. No special-status plant species were observed onsite as recorded in the A&M studies with the January through May 2014 surveys being the most conclusive. Wildlife issues observed onsite were nesting birds, and the probability of American badger and San Joaquin kit fox use (neither observed). Habitat types mapped in the A&M 2016 study showed the Wisteria 3 site as cropland (regularly plowed and dry farmed grasses) and oak woodland. A set of representative photographs from SII field surveys is provided in the attached Exhibit A-1.

SII 2018 field surveys affirmed the Wisteria 3 project site conditions as cropland throughout, with scattered blue oaks as there was evidence of plowing over the entire project site except under the

driplines of oaks. The review of aerial photography shows the regular plowing/mowing of the grassland around the oaks but over the entire Wisteria 3 project site. There were California ground squirrel burrows throughout the site but mostly in the unplowed areas under the oaks. Two closely spaced burrows in the middle of the site had a "half-moon" shape characteristic of American badger dens. However, there was no recent evidence of use or scattered remains of prey items to confirm badger use. The A&M studies suggested limited suitability for the badger use because of the annual cropland activities of plowing and mowing. We will continue to observe the burrows during upcoming bird surveys to determine if there is any definitive evidence of active use by badgers.

The project site has many active ground squirrel burrows some of which may be considered San Joaquin kit fox potential dens. The 2016 A&M report stated the study area falls within the San Luis Obispo County 3:1 standard kit fox mitigation ratio area. However, the project area within the City limits does not have a standard mitigation ratio assigned to them on the County map, but is surrounded by 3:1 mitigation areas. The A&M 2016 report completed the kit fox evaluation form that suggested the site should be considered at the 2:1 mitigation ratio. SII agrees with the A&M kit fox evaluation findings. While the City can condition the project with the 2:1 mitigation ratio based on the site-specific evaluation for determining kit fox mitigation, the ratio may ultimately be dictated by the California Department of Fish and Wildlife. Further, the set of standard kit fox impact avoidance measures listed in the A&M 2016 report would be appropriate and typical for project approvals within the kit fox range in northern San Luis Obispo County.

The A&M 2016 study documented the observation of an adult Lewis's woodpecker going into a tree cavity suggesting an active nest. The project site is within the southern part of its year-round range. This species, as are all native birds in California, are protected against take of active nests by the Sections 3505 and 3503.5 (raptors specifically) of the Fish and Game Code of California and the Migratory Bird Treaty Act. As noted above, SII will be conducting a nesting bird survey through May of 2018 to meet the A&M 2016 report recommended mitigation measures for nesting birds. Should any active nests be found that could be impacted by tree removal or other construction activities, SII will provide take avoidance measures to protect the nesting birds until the adults and young are no longer reliant on the nest site for survival.

The deciduous blue oaks are just starting to leaf out for the year providing good visibility for any large stick nests for birds such as the yellow-billed magpie and/or raptors. No large stick nests were observed in the trees shown for removal. It should be noted that reflective mylar flagging has been hung in the trees shown for removal presumable as "passive hazing" to discourage birds from nesting. As the oaks continue to leaf out providing more cover, SII will continue to survey the site for active nests in 2018 and provide the findings in an Addendum #2 report.

Thank you very much for continuing with SII for environmental consulting services. Please contact me if you have any questions or need any additional information.

Very truly yours,



David K. Wolff
Principal Ecologist



Photo 1 – View south towards existing facilities at plowing furrows in cropland and scattered oaks. 4/12/18



Photo 2 – View west at plowing furrows in cropland and scattered oaks. 4/4/18



Photo 3 – View north at plowing furrows in cropland and scattered oaks. 4/12/18



Photo 4 – View north of cropland habitat at proposed detention basin location along east side of exiting facilities. 4/12/18

EXHIBIT A-1 REPRESENTATIVE PHOTOGRAPHS





June 1, 2018

Carol Florence, AICP
 Principal Planner, Oasis Associates
 3427 Miguelito Court
 San Luis Obispo, CA 93401

SUBJECT: BIOLOGICAL RESOURCES ASSESSMENT ADDENDUM #2, NESTING BIRD SURVEY, FOR THE JUSTIN VINEYARDS AND WINERY, LLC, WISTERIA 3 PROJECT, IN THE CITY OF EL PASO DE ROBLES, CA

Dear Carol:

Sage Institute, Inc. (SII) is pleased to submit Biological Resources Assessment Addendum #2 (BA Addendum #2) for the Justin Vineyards and Winery Wisteria 3 project in the City of El Paso de Robles (City). I have prepared this report based on our discussions, information you provided on previous biological resources reports, and in response to the March 8, 2018 Memorandum from Darren Nash, Associate Planner with the City. This BA Addendum #2 follows the SII BA Addendum #1 that affirmed existing conditions and provided additional information and clarification for the Wisteria 3 project site biological resources and mitigation measures that were addressed in the Althouse and Meade, Inc., 2011 and 2016 biological resources reports. The purpose of this BA Addendum #2 is to document the methods and results of the nesting bird survey of the project site with the focus on detecting nesting Lewis’ woodpeckers if any. The Althouse and Meade study observed potential nesting Lewis woodpeckers.

METHODS

SII Principal Ecologist David Wolff (DW), Principal Biologist Jason Kirschenstein (JK), and Biologist Matthew Beyers (MB), conducted nine nesting bird surveys at various times and days from April 4 through May 22, 2018 as shown in Table 1 below. The site and immediately adjacent trees were surveyed by meandering transects and stationary observations points using binoculars, and documenting all birds observed using the site, nesting activities (carrying nesting material, food items, etc.), and active nest sites if observed.

TABLE 1 JUSTIN WINERY WISTERIA 3 PROJECT SITE NESTING BIRD SURVEY DATES & PERSONNEL	
4/4/2018	MB
4/9/2018	MB
4/10/2018	MB
4/10/2018	MB
4/12/2018	DW
4/12/2018	MB
4/26/2018	JK
4/27/2018	JK
5/22/2018	JK

RESULTS

SII 2018 field surveys affirmed the Wisteria 3 project site conditions as cropland throughout, with scattered blue oaks as there was evidence of plowing over the entire project site except under the driplines of oaks. The review of aerial photography shows the regular plowing/mowing of the grassland around the oaks but over the entire Wisteria 3 project site.

The A&M 2016 study documented the observation of an adult Lewis’s woodpecker going into a tree cavity suggesting an active nest but was not confirmed. The project site is within the southern part of its year-round range. No Lewis’s woodpeckers were observed during the SII 2018 nesting bird surveys.

SII did observe a western bluebird cavity nest and white-breasted nuthatch cavity nest in the oak trees in the center of the property that are slated for removal. There was a lot of bird activity observed in the surrounding oak woodland suggesting additional nesting birds around the site given the breeding season time of the surveys. A complete list of bird species observed is provided in Table 2 below.

TABLE 2 BIRD SPECIES OBSERVED (*NESTING OBSERVED)	
Acorn woodpecker	Loggerhead shrike
American goldfinch	Mourning dove
Anna's hummingbird	Northern mockingbird
Bushtit	Pacific slope flycatcher
California quail	Red-shouldered hawk
Cliff swallow	Red-winged blackbird
Dark-eyed junco	Tree swallow
Eurasian collared-dove	Western bluebird*
European starling	White-breasted nuthatch*
Golden eagle	White-crowned sparrow
House sparrow	Yellow-billed magpie

CONCLUSION

All native birds in California, are protected against take of active nests by the Sections 3505 and 3503.5 (raptors specifically) of the Fish and Game Code of California, and the Migratory Bird Treaty Act. Should tree removal occur during the nesting season (February 1st to August 31st), then the implementation of the Althouse and Meade 2016 mitigation measures BR-11, BR-13, and BR-14 shall be implemented to avoid impacts on nesting birds.

Thank you very much for continuing with SII for environmental consulting services. Please contact me if you have any questions or need any additional information.

Very truly yours,



David K. Wolff, Principal Ecologist



June 21, 2018

C.M. Florence, AICP
 Principal Planner, Oasis Associates, Inc.
 3427 Miguelito Court
 San Luis Obispo, CA 93401

SUBJECT: BIOLOGICAL RESOURCES ASSESSMENT ADDENDUM #3, SAN JOAQUIN KIT FOX COMPENSATORY MITIGATION COMPLIANCE FOR THE JUSTIN VINEYARDS AND WINERY, LLC, WISTERIA 3 PROJECT, IN THE CITY OF EL PASO DE ROBLES, CA

Dear Carol:

Sage Institute, Inc. (SII) is pleased to submit this Biological Resources Assessment Addendum #3 (BA Addendum #3) for the Justin Vineyards and Winery Wisteria 3 project in the City of El Paso de Robles (City). I have prepared this report based on our discussions, and the Tract 2778 San Joaquin kit fox (SJKF) evaluation and mitigation information in the record provided by you and the City. This BA Addendum #3 follows the SII BA Addendum #1 that affirmed existing conditions of onsite biological resources and mitigation measures, and BA Addendum #2 that document the methods and results of the 2018 nesting bird survey of the project site. The purpose of this BA Addendum #3 is to document compliance and fulfillment of mitigation measure BR-17(c) for purchase of credits at the California Department of Fish and Wildlife; (CDFW) approved Palo Prieto Conservation Bank.

- The SJKF evaluation form completed by Althouse & Meade on November 15, 2005 (attached for your reference) delineated habitat types within an approximately 27.18-acre property boundary as shown on the last page of the evaluation form, and as interpreted by the project surveyor on the attached Exhibit A3-1 Tract 2778 Property Development Analysis. Further the SJKF form identified a SJKF impact of 23.34 acres composed of 18.6 acres of grassland, 1.2 acres of oak woodland, and 3.5 acres of oak savannah. SJKF mitigation is for total project impacts and is not based on individual habitat types. Further, according to Althouse and Meade, the habitat map in the SJKF evaluation form is not specific to the impact scenario, but is for habitat characterization purposes. The impact acreage calculation comes from the project plans at the time of project approval.
- The SJKF evaluation form, and as approved by CDFW at the time, required a 3:1 compensatory mitigation ratio for loss of SJKF habitat that totaled 70.02 acres. In a letter dated July 21, 2011 (attached), the CDFW provided approved options for SJKF mitigation as consistent with that required under BR-17(c).
- The Tract 2778 owner at the time (Erskine) was provided a bill of sale for purchase of SJKF conservation bank credits at the Palo Prieto Conservation Bank for the 70.02 acres of required 3:1 compensatory SJKF mitigation for the 23.34 acres of habitat impacts (attached).
- Exhibit A3-1 shows the 27.18-acre property boundary along with existing and proposed Justin Wisteria 3 development areas of Tract 2778. As shown, 6.97 acres of the 27.18-acre property will be undeveloped leaving a net developed area habitat impact of 20.21 acres for Tract 2778. As such, the conservation bank purchase of credits for the originally identified 23.34 acres more than satisfies compliance with mitigation measure BR-17(c). The mitigation payment actually

provides for a mitigation “credit” of 3.13 acres of habitat impact or 9.39 acres of conservation bank credits that should be considered for mitigation use in the future if needed.

Thank you very much for continuing with SII for environmental consulting services. Please contact me if you have any questions or need any additional information.

Very truly yours,



David K. Wolff, Principal Ecologist

Attachments:

- A. Exhibit A3-1: Tract 2778 Property Development Analysis
- B. Althouse and Meade SJKF Evaluation Form and Maps
- C. California Department of Fish and Game (Wildlife) Mitigation Options Approval
- D. Letter Bill of Sale for Palo Prieto conservation Bank

SJKF EVALUATION EXHIBIT

LOT 10
T3069

PARCEL BOUNDARY
27.18 ACRES

UNMITIGATED LAND
6.97 ACRES

NEW DISTURBANCE
LIMITS

LOT 11
T3069

PROPOSED BUILDING 3
109,500 S.F.

EXISTING JUSTIN WINERY BUILDING 1

EXISTING JUSTIN WINERY BUILDING 2

LOT 12
T3069

PROJECT BOUNDARY
20.21 ACRES

LOT 12
T2778-2

LOT 6
T2778-1

LOT 9
T2778-2

LOT 13
T3069

WISTERIA (FUTURE) LANE

LOT 11
T2778-2

LOT 10
T2778-2

LOT 1
T3069

LOT 3
T3069

SCALE: 1"=200'



AREA WITHIN OAK SAVANNA
(0.81 ACRES)

AREA WITHIN OAK WOODLAND
(1.28 ACRES)

LOT 2
T3069

Kit Fox Habitat Evaluation Form Cover Sheet

Project Name Golden Hill Industrial Park Expansion
TR 2278

Date 11-15-05

Project Location

**Wisteria Ave. and "A" Street
Paso Robles**

Include project vicinity map and project boundary on copy of U.S.G.S. 7.5. minute map (size may be reduced)

U.S.G.S. Quad Map Name **Paso Robles**

Lat/Long or UTM coordinates (if available) **N 35° 38' 58"**
W 120° 38' 53"

Project Description: **Industrial Park**

Project Size: **23.34 acres**

Amount of Kit Fox Habitat Affected: **23.34 acres**

Quantity of WHR Habitat Types Impacted (i.e. – 2 acres annual grassland, 3 acres blue oak woodland)

WHR type	Annual grassland	18.6 acres
	Blue oak woodland	1.2 acres
	Blue oak savannah	3.5 acres

Comments:

Form Completed by: 

San Joaquin Kit Fox Habitat Evaluation Form

Is the project within 10 miles from a recorded San Joaquin kit fox observation or within contiguous suitable habitat as defined in Question 2(A-E)?

YES – Continue with evaluation form

NO – Evaluation form/surveys are not necessary

1. Importance of the project area relative to Recovery Plan for Upland Species of the San Joaquin Valley, California (Williams et al, 1998).
 - A. Project would block or degrade an existing corridor linking core populations or isolate a subpopulation (20).**
 - B. Project is within a core population (15)
 - C. Project area is identified within satellite population (12)
 - D. Project area is within a corridor linking satellite populations (10)
 - E. Project area is not within any of the previously described areas but is within known kit fox range (5)

2. Habitat characteristics of the project area.
 - A. Annual grassland or saltbush scrub present >50% of site (15)
 - B. Grassland or saltbush scrub present but comprises <50% of project area (10)
 - C. Oak savannah present on >50% of site (8)
 - D. Fallow ag fields or grain/alfalfa crops (7)**
 - E. Orchards/vineyards (5)
 - F. Intensively maintained row crops or suitable vegetation absent (0)

3. Isolation of project area
 - A. Project area surrounded by contiguous kit fox habitat as described in Question 2a-e (15)
 - B. Project area adjacent to at least 40 acres of contiguous habitat or part of an existing corridor (10)**
 - C. Project area adjacent to <40 acres of habitat but linked by existing corridor (i.e.- river, canal, aqueduct) (7)
 - D. Project area surrounded by ag but less than 200 yards from habitat (5)
 - E. Project area completely isolated by row crops or development and is greater than 200 yards from potential habitat (0)

4. Potential for increased mortality as a result of the project implementation. Mortality may come from direct (e.g. – construction related) or indirect (e.g. –vehicle strikes due to increases in post development traffic) sources.
 - A. Increase in mortality likely (10)
 - B. Unknown mortality effects (5)**
 - C. No long term effect on mortality (0)

- 5. Amount of potential kit fox habitat affected
 - A. > 320 acres (10)
 - B. 160-319 acres (7)
 - C. 80-159 acres (5)
 - D. 40-79 acres (3)
 - E. <40 acres (1)**

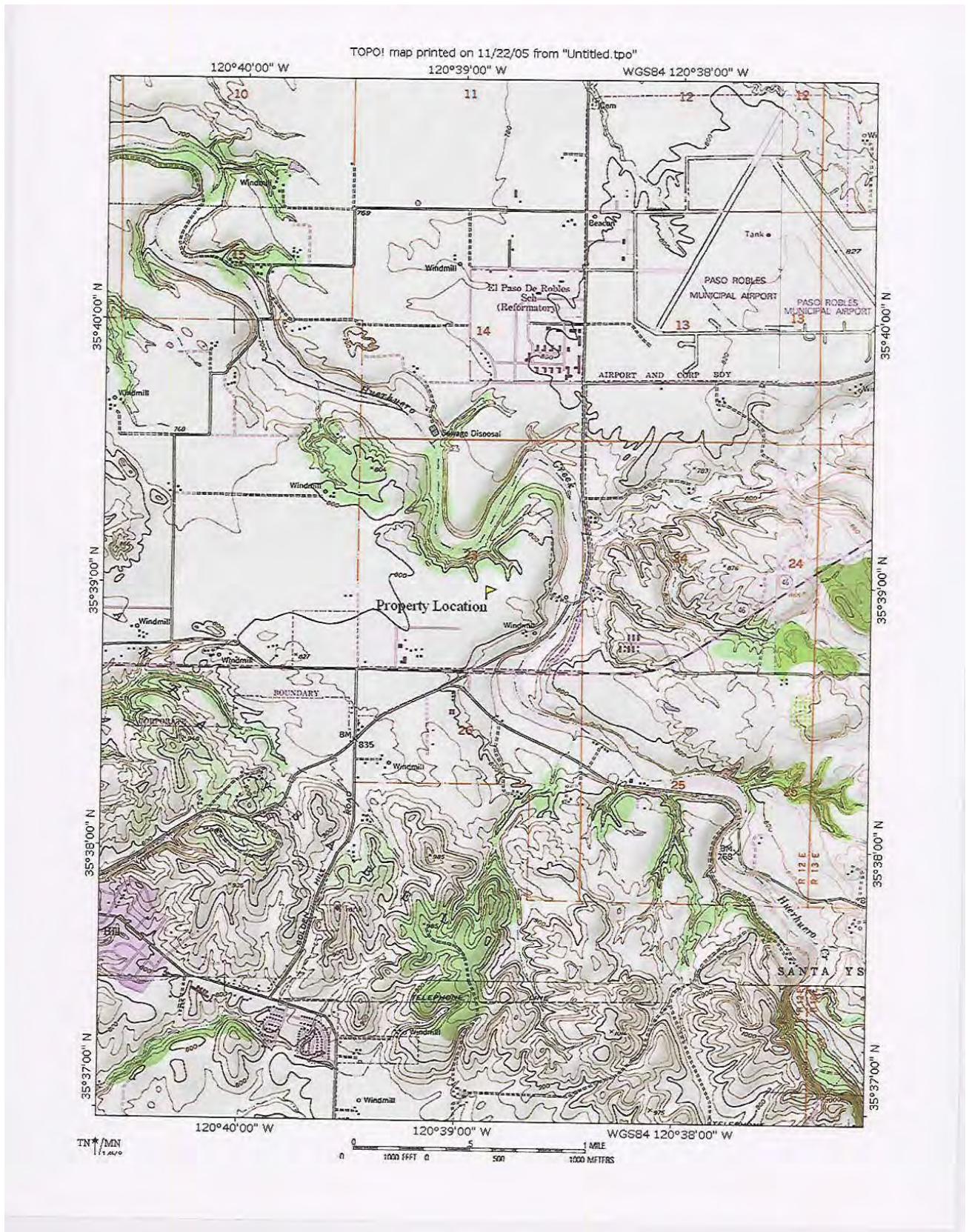
- 6. Results of project implementation
 - A. Project site will be permanently converted and will no longer support foxes (10)**
 - B. Project area will be temporarily impacted but will require periodic disturbance for ongoing maintenance (7)
 - C. Project area will be temporarily impacted and no maintenance necessary (5)
 - D. Project will result in changes to agricultural crops (2)
 - E. No habitat impacts (0)

- 7. Project shape
 - A. Large block (10)**
 - B. Linear with >40 foot right-of way (5)
 - C. Linear with <40 foot right-of-way (3)

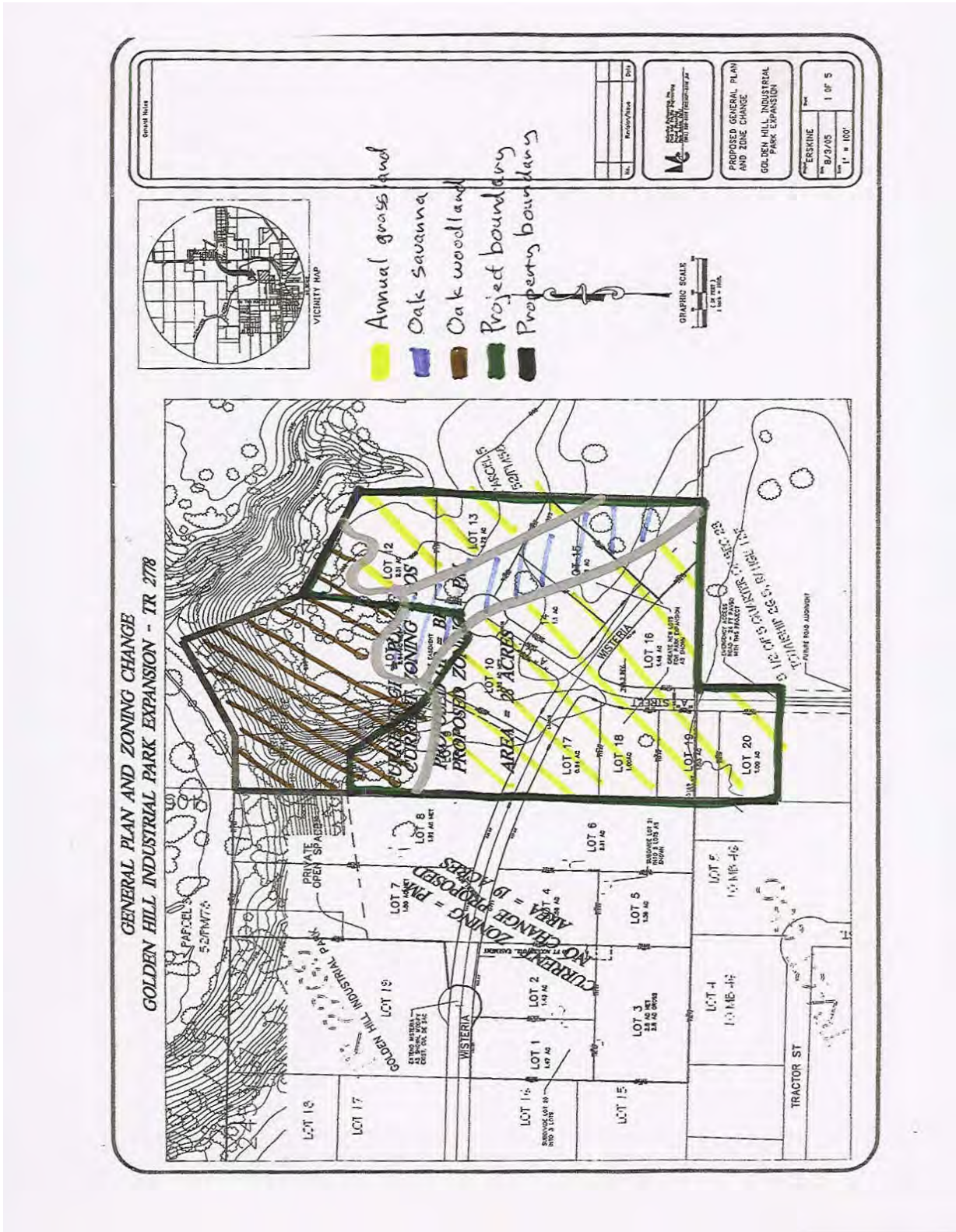
- 8. Have San Joaquin kit foxes been observed within 3 miles of the project area within the last 10 years?
 - A. Yes (10)
 - B. No (0)**

Scoring

1. Recovery importance	20
2. Habitat condition	7
3. Isolation	10
4. Mortality	5
5. Quantity of habitat impacted	1
6. Project results	10
7. Project shape	10
8. Recent observations	<u>0</u>
Total	63



USGS 7.5' topo, Paso Robles quadrangle



Property boundaries and habitat types.



DEPARTMENT OF FISH AND GAME

Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
http://www.dfg.ca.gov

C

July 21, 2011

Tom Erskine
Ranch and Coast Properties, Inc.
Post Office Box 510
Paso Robles, California 93446

Subject: San Joaquin Kit Fox Mitigation
Tract 2779, PD 97-013

Dear Mr. Erskine:

The Department of Fish and Game (Department) assists the City of Paso Robles (City) and project applicants in mitigating project impacts to San Joaquin kit fox and kit fox habitat. The Department and the City apply a habitat evaluation method which considers the functions and values of kit fox habitat affected at each project site. The Kit Fox Evaluation, which was completed for your Project, Tract 2779, on November 15, 2005, by Dan Meade of Althouse and Meade, indicates your Project will impact 23.34 acres of kit fox habitat. Your Project earned a score of 71 on the evaluation, which requires that all impacts be mitigated at a ratio of three (3) acres conserved for each acre impacted (3:1). Total compensatory mitigation required for your Project is 70.02 acres, based on three (3) times 23.34 acres impacted.

This letter identifies the options for satisfying this mitigation obligation, based on options which were identified in condition BR-1 of the Mitigated Negative Declaration on file with the City. The mitigation options identified below apply to the proposed Project only; should your Project change, your mitigation obligation may also change, and a reevaluation of your mitigation measures would be required.

- 1. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement, of 70.02 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 conserved shall be subject to the review and approval of the Department and the City.

Should you choose this mitigation alternative, please be advised that all aspects of this program must be in place prior to issuance of City permit and initiation of any ground-disturbing activities.

- 2. 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 located primarily within San Luis Obispo County and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

If you elect to meet mitigation requirements by way of option (2) above, you can do so by providing funds, in the amount determined by the Department through the evaluation described

Tom Erskine
July 21, 2011
Page 2

above, to The Nature Conservancy (TNC), at the first address listed below, pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established through an 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). A copy of the agreement between the Department and TNC is enclosed with this letter. The Department has determined that your fee, which is payable to The Nature Conservancy, would total **\$175,050**. This fee is calculated based on the current cost-per-unit, \$2,500 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 would need to be paid prior to issuance of City permit and initiation of any ground disturbing activities.

3. *Purchase **70.02** credits in an approved conservation bank, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.*

If you elect to meet mitigation requirements by way of option (3) above, you can do so by purchasing credits, in the amount determined by the Department through the evaluation described above, from the Palo Prieto Conservation Bank, at the third address listed below. The Bank was established through an agreement between the Department and the Grant Family Trust to preserve San Joaquin kit fox habitat and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with CEQA. Purchase of credits would need to be completed prior to issuance of a City permit and initiation of any ground-disturbing activities.

Should you have questions regarding your mitigation alternatives, please contact Brandon Sanderson of the Department of Fish and Game at (805) 594-6141. The Department concurs with the City that implementation of all of the mitigation measures identified in your signed Developer's Statement will result in mitigating potential impacts to San Joaquin kit fox habitat to a level of less-than-significant, based on the evaluation of potential impacts which would result from your Project, as proposed. Should you have questions regarding the status of your application with the County, please contact Darren Nash at the City of Paso Robles Planning Division at (805) 237-3970.

Sincerely,



Jeffrey R. Single, Ph.D.
Regional Manager

Enclosure

cc: See Page Three

Tom Erskine
July 21, 2011
Page 3

cc: Leslie Jordan
The Nature Conservancy
201 Mission Street, Fourth Floor
San Francisco, California 94105

The Nature Conservancy
Attention: Legal Department
201 Mission Street, Fourth Floor
San Francisco, California 94105

Palo Prieto Conservation Bank
c/o Althouse and Meade
1875 Wellsona Road
Paso Robles, California 93446

ec: Darren Nash
City of Paso Robles
DNash@prcity.com

Deb Hillyard
Brandon Sanderson
Bob Stafford
Department of Fish and Game

For Department Use Only

PROJECT NAME: Tract 2779, PD 97-013

PROJECT PROPONENT: Ranch and Coast Properties, Inc

LEAD AGENCY: City of Paso Robles

AMOUNT OF IN-LIEU FEE: \$175,050.00


DEPARTMENT CONTACT PERSON: Brandon Sanderson

BILL OF SALE

Palo Prieto Conservation Bank Lake Parcel

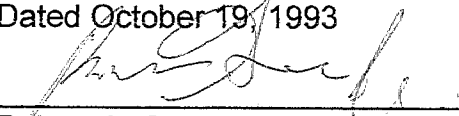
In consideration of their receipt of payment of One Hundred Seventy-Five Thousand and Fifty Dollars (\$175,050.00), which is hereby acknowledged, JOHN WILLIAM GRANT, TRUSTEE OF THE GRANT FAMILY TRUST DATED OCTOBER 19, 1993, as to an undivided 50% interest, AND ROBERT A. GRANT, JR., TRUSTEE OF THE ROBERT A. GRANT JR. TRUST DATED NOVEMBER 5, 2004, as to an undivided 50% interest (together "PPCB Lake Parcel Owners") do hereby bargain, sell and transfer to Ranch and Coast Properties, Inc. for Buyer's use in satisfying Condition No.BR-1 of the Mitigated Negative Declaration on file with the City of Paso Robles, for Tract 2778 development, Permit No. PD97-013 dated April 25, 2006, 70.02 San Joaquin kit fox credits in PPCB Lake Parcel of the Palo Prieto Conservation Bank, located in San Luis Obispo County, California, as established pursuant to the Palo Prieto Conservation Bank Agreement, dated August 4, 2006 by and among PPCB Lake Parcel Owners, John W. Grant, an unmarried man, and the California Department of Fish and Game (Tracking No. 1802-2005-019-03).

PPCB LAKE PARCEL OWNERS



John William Grant
Trustee of the Grant Family Trust
Dated October 19, 1993

Dated: 8-15-11



Robert A. Grant, Jr.
Trustee of the Robert A. Grant Jr. Trust
Dated November 5, 2004

Dated: 8-10-11

Oak Tree Protection Plan

Justin Winery Barrel Room, Wisteria

Prepared By

**Chip Tamagni
Certified Arborist #WE 6436-A
Certified Hazard Risk Assessor #1209**

**Steven Alvarez
Certified Arborist #WE 0511-A**

**P.O. Box 1311
Templeton, CA 93465
(805) 434-0131**

3-21-18

A & T ARBORISTS

P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131



As consulting arborists, we have been hired to inform and educate how to protect trees both during the design phase and construction. Different species can adapt to more impacts than others just as young trees can sustain more root disturbance than older trees. All individuals and firms involved in the planning stages should be made completely aware of the limitations regarding setbacks from critical root zones that are recommended to protect the trees. When we are given a plan, it should show **all** possible disturbances within the critical root zone areas. This includes all cuts, fills, over-excavation limits, building clearances, and all utilities. We will suggest changes if we feel the impacts are too great and it is up to the owner or their designee to follow our recommendations. If the plan we receive is not complete with potential impacts, we will fairly assume any additions will fall completely out of the critical root zone areas. It is the burden of the property owner or their designee to inform us of any changes, omissions, or deletions that may impact the critical root zone area of the trees in any way.

It is the responsibility of the **owner** to provide a copy of this tree protection plan to any and all contractors and subs that work within the critical root zone of any native tree. We recommend making it mandatory that the grading/trenching operator have all of his/her employees sign that they have read this plan. It is highly recommended that all other contractors sign and acknowledge this tree protection plan as well. In addition, each their respective employees shall be made aware of this tree plan.

The term “critical root zone” is often referred to in this report. The CRZ is an imaginary circle around the trunk of the tree with a radius in feet equal to the tree’s diameter in inches. Therefore, a 10 inch diameter tree would have a critical root zone with a 10 foot radius.

This tree evaluation and protection plan is in regard to the proposed barrel room that would be located behind Justin Winery’s processing facility on Wisteria Lane in Paso Robles. The land where the barrel room would be located is relatively flat with varying age class blue oak trees (*Quercus douglasii*). Of the seventeen trees inventoried, five are 100% dead. Five rated a 2/10 due to either severe dieback or significant structural deficiencies. Three trees rated average health and three trees are in very good to excellent condition. There are substantial numbers of dead and dying trees that are completely out of any impact zone nor have these trees been impacted from any activities. We suspect drought played a prominent role in their decline. We have included some photographs of these trees in addition to the proposed removals.

The original plans we received showed some pretty substantial impacts to the three excellent quality trees and several others on site. We felt that some changes were warranted to significantly reduce the impacts to the trees that are planned to be saved. Originally, we felt the impacts exceeded our threshold for what would be a minimal impact to a significant one that could possibly shorten the tree’s lifespan. We had a

Agenda Item 3

conference call with representatives from Justin and the design team to express what we felt were necessary changes to fully preserve saved trees within the project area.

Those recommended changes (which have been incorporated to the design) are:

- The main drive approach curbing has been reconfigured to not disturb the critical root zone of the existing 38" oak tree (#488), located east of the Wisteria 2 building. It will allow the widening of the existing access road with minimal impact to the tree.
- The curbing and sidewalk at the front of the proposed structure has been designed to not disturb the critical root zone of the existing 32" oak tree (#472).
- The proposed structure will create a grade separation between the finished floor elevation and the existing grade at the 34" oak tree (#473). The design will call for a retaining wall to be built at this location and surrounding area to maintain the existing grade over the critical root zone of this tree.
- The access road on the north side of the building has been redesigned to pass between the existing 34" oak tree (#473) critical root zone and the multiple 10-12" oak trees along the north property line.
- The proposed structure was also moved south to avoid the critical root zone of the existing 34" oak tree. The proposed road grade has been lowered to allow drainage of the area around the tree into this access road and not create a ponding scenario.
- Utilities have also been relocated to avoid the CRZ.

All trees that are planned to be saved within the project area shall be pruned for weight reduction and major deadwood. Many of these trees are very heavy towards the ends of the main scaffold limbs and are subject to severe breakage. This shall be part of the mandatory mitigation for this project.

Pruning is also strongly recommended for all other non-impacted trees on the property that will surround the building but are completely out of the impact zone. Many trees in this "perimeter" have died and should be removed and those subsequent areas can be used for project mitigation planting. 13 trees are being proposed for removal. Five of those trees are entirely dead and do not require mitigation as they are in the middle of a field and have never been impacted. Five of the live trees are in poor condition. Four of them have suffered from drought stress and they most likely will not survive for more than a few years at best. One tree (484) is the largest tree being proposed for removal. This tree has good aesthetics and from a distance it looks appealing. However, closer inspection revealed the tree has had major scaffold failures that in turn have created significant points of decay. There are also several scaffold branches with nesting holes from woodpeckers that has rendered them very weak. We estimated this tree would only survive about ten more years as failure appears imminent. Another failure will further stress the tree and speed up its decline. Two other trees with fair to good condition ratings are also being proposed for removal. One was rated a 3/10 as there was some tip dieback. The highest quality tree being proposed for removal has three 12 inch diameter trunks totaling 30 inches. The triple trunk will eventually be the demise of this tree but we did expect it to live 50 more years. Total inches being proposed for removal (live trees only) is 166 inches. The mitigation inches for planting total 41.5". The mitigation trees shall be a minimum of 24" box trees. As diameters vary for trees this size, 28 trees will be required to be planted if they average 1.5". If the diameter of the box trees is 2" average, 21 trees would be required for planting. We strongly feel that replanting these

Agenda Item 3

trees in the perimeter area will benefit the site. We would also prefer to see a combination of the three main species of oaks used for the mitigation which would be blue (*Quercus douglasii*), coast live (*Quercus agrifolia*), and valley (*Quercus lobata*). There are many trees that exist in the perimeter area with no impact into their critical root zones. We did not tag these trees, however, we will require a continuous perimeter tree fence five feet outside of the planned fire road for the majority of this area. We understand that some of these trees are dead, however, their removal will potentially be sought at a later date.

We also inventoried the oak trees that exist on the remainder of this property. We counted 48 other trees that are dead and 617 oaks that are alive. The sizes ranged from 4 inches up to 60+ inches. This area is one of the few undisturbed blue oak woodland of its size within the city limits. Most of these trees 98% are blue oaks and about 2% are valley oaks (*Quercus lobata*). There are no plans to develop these other portions of the property as the terrain is quite steep.

Trees #472, #473, and #488 are really quality blue oaks. There may be very slight impacts (<3%) for #473 and #472. #488 now has zero impacts due to design changes. There is a planned road that will circumvent the building. Originally, this road impacted several oaks, however, the design changes eliminated that.

This project will require an on-site pre-construction meeting with the city, owner, grading contractor and the arborist. Topics will include fencing, monitoring and requirements for a positive final occupancy letter. It is the owner's responsibility to adequately inform us prior to any meetings where we need to be present. It is the responsibility of the owner's representatives and the general contractor to assure that absolutely no activity occurs within any critical root zone with the consent of the project arborist and is a part of the updated approved plans. There will be zero parking under any of the oak trees on site and all port a potties shall be located at twice the critical root zone in distance from the trees. Preferably, the port a pottie(s) is located on the existing asphalt away from any trees.

All trees potentially impacted by this project are numbered and identified on both the grading plan and the spreadsheet. Trees whose CRZ edges are well outside site disturbance will generally not be tagged and inventoried. Trees that are inherently protected by other saved trees will also not be tagged. Trees are numbered on the grading plans and in the field with an aluminum tag. Tree protection fencing is shown on the grading plan. Trees to be saved have bright green tape and potential removal trees have bright orange tape attached to the tree number tag.

Tree Rating System

A rating system of 1-10 was used for visually establishing the overall condition of each tree on the spreadsheet.

Agenda Item 3

Determining factors include:

- Previous impacts to tree root zone
- Observation of cavities, conks or other structurally limiting factors
- Pest, fungal, or bacterial disorders
- Past failures
- Current growth habit

The rating system is defined as follows:

<u>Rating</u>	<u>Condition</u>
0	Deceased
1	Evidence of massive past failures, extreme disease and is in severe decline.
2	May be saved with attention to class 4 pruning, insect/pest eradication and future monitoring. Generally the trees are in decline
3	Some past failures, some pests or structural defects that may be mitigated by class IV pruning.
4	May have had minor past failures, excessive deadwood or minor structural defects that can be mitigated with pruning.
5	Relatively healthy tree with little visual structural and or pest defects.
6	Healthy tree that probably can be left in its natural state. Future pruning may be required.
7-9	The tree has had proper arboricultural pruning and attention or have no apparent structural defects.
10	Specimen tree with perfect shape, structure and foliage in a protected setting (i.e. park, arboretum).

The following mitigation measures/methods must be fully understood and followed by anyone working within the drip line of any native tree. Any necessary clarification will be provided by us (the arborists) upon request.

Fencing: The proposed fencing shall be shown in orange ink on the grading plan. It must be a minimum of 4' high chain link, snow or safety fence staked at the edge of the CRZ or line of encroachment for each tree or group of trees. The fence shall be up before any construction or earth moving begins. The owner or their designee shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts shall be made to maximize the distance from each saved tree. The fencing must be constructed prior to the city pre-construction meeting for inspection by the city and the arborists. Fence maintenance is an issue with many job sites. Windy conditions and other issues can cause the fence to sag and fall. Keeping it erect should be a part of any general contractor's bid for a project. Down fencing is one of the causes for a stop work notice to be placed on a project.

Agenda Item 3

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

Chip Mulch: All areas within the CRZ of the trees that cannot be fenced shall receive a 4-6" layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.

Trenching Within CRZ: All trenching/excavation for foundations within the CRZ of native trees shall be **hand dug**. All major roots shall be avoided whenever possible. All exposed roots larger than 1" in diameter shall be clean cut with sharp pruning tools and not left ragged. A **Mandatory** meeting between the arborists and grading/trenching contractor(s) shall take place prior to work start. This activity shall be monitored by the arborist(s) to insure proper root pruning is taking place. Any landscape architects and contractors involved shall not design any irrigation or other features within any drip line unless previously approved by the project arborist.

Grading Within CRZ: Grading shall not encroach within the drip line or crz unless approved by the project arborist. Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding condition and excavations should not leave the tree on a rapidly draining mound.

Exposed Roots: Any exposed roots shall be re-covered the same day they were exposed. If they cannot, they must be covered with burlap or another suitable material and wetted down 2x per day until re-buried.

Equipment Operation: Vehicles and all heavy equipment shall never be driven under the trees, as this will contribute to soil compaction. Also there is to be no parking of equipment or personal vehicles in these areas. If at any time a construction employee has parked a vehicle under the drip line of any oak in the project area (or areas surrounding the project), he/she shall be asked to leave the project that day. All areas behind fencing are off limits unless pre-approved by the arborist. All soil compaction within drip line areas shall be mitigated as described previously.

Existing Surfaces: The existing ground surface within the CRZ of all native trees shall not be cut, filled, compacted or pared, unless shown on the grading plans **and** approved by the arborist.

Construction Materials And Waste: No liquid or solid construction waste shall be dumped on the ground within the CRZ of any native tree. The CRZ areas are not for storage of materials either. Any violations shall be remedied through proper cleanup approved by the project arborist at the expense of the owner. Absolutely no temporary port a potties shall be placed under the trees.

Arborist Monitoring: An arborist shall be present for selected activities (trees identified on spreadsheet and items bulleted below). The monitoring does not

Agenda Item 3

necessarily have to be continuous but observational at times during these activities. It is the responsibility of the owner(s) or their designee to inform us prior to these events so we can make arrangements to be present. It is the responsibility of the owner to contract (prior to construction) a locally licensed and insured arborist that will document all monitoring activities.

- pre-construction fence placement, and weekly monitoring during construction until the project arborist is convinced there is no possible future impacts to any of the remaining oaks.
- any utility or drainage trenching within any CRZ
- All grading and trenching near trees requiring monitoring on the spreadsheet

Pre-Construction Meeting: An on-site pre-construction meeting with the Arborist(s), Owner(s), Planning Staff, and all contractors and subs is highly recommended prior to the start of any work. At a minimum, the grading contractor shall be present. It is the sole responsibility of the owner that all topics covered during the preconstruction meeting are appropriately passed on to non-present contractors. Prior to final occupancy, a letter from the arborist(s) shall be required verifying the health and condition of all impacted trees and providing any recommendations for any additional mitigation. The letter shall verify that the arborist(s) were on site for all grading and/or trenching activity that encroached into the CRZ of the selected native trees, and that all work done in these areas was completed to the standards set forth above.

Pruning: All native tree pruning shall be completed by a licensed and insured D49 tree trimming contractor that has a valid city business license. Class 4 pruning includes: Crown reduction pruning consisting of reduction of tops, sides or individual limbs. A trained arborist shall perform all pruning. No pruning shall take more than 25% of the live crown of any native tree. Any trees that may need pruning for road/home clearance shall be pruned **prior** to any grading activities to avoid any branch tearing.

Landscape: All landscape under the CRZ shall be drought tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around drip lines; otherwise above ground drip-irrigation shall be used. It is the owner's responsibility to notify the landscape architect and contractor regarding this mitigation. The project arborist shall approve all landscape materials and irrigation within the CRZ of any oak tree.

Utility Placement: All utilities and sewer/storm drains shall be placed down the roads/driveways and outside of the CRZ. The project arborist shall supervise trenching within the CRZ. **All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under/over the roots.** Roots greater than 1 inches in diameter shall **not** be cut. Due to the changes in this project, there should be no trenching necessary within the CRZ.

Agenda Item 3

Fertilization and Cultural Practices: As the project moves toward completion, the arborist(s) may suggest fertilization, insecticide, fungicide, soil amendments, and/or mycorrhiza applications that will benefit tree health.

The included spreadsheet includes trees listed by number, species and multiple stems if applicable, diameter and breast height (4.5'), condition (scale from poor to excellent), status (avoided, impacted, removed, exempt), percent of drip line impacted, mitigation required (fencing, root pruning, monitoring), construction impact (trenching, grading), recommended pruning and individual tree notes.

If **all** the above mitigation measures are followed, we feel there will be no additional long-term significant impacts to the remaining native trees.

A & T Arborists strongly suggests that the responsible party (owner of their designee) make copies of this report. Any reproduction by A & T Arborists or changes to this original report will require an additional charge.

Please let us know if we can be of any future assistance to you for this project.

Steven G. Alvarez
Certified Arborist #WC 0511

Chip Tamagni
Certified Arborist #WE 6436-A

Attachments:

1. Tree Protection Spreadsheet
2. Tree Exhibit, Sheets 1 & 2, revised 19 April 2018 (24" x 36")

Agenda Item 3

TREE PROTECTION SPREAD SHEET

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
TREE #	TREE SPECIES	SCIENTIFIC NAME	TRUNK DBH	TREE COND.	CONST STATUS	CRZ % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	AESTH. VALUE	FIELD NOTES	NS EW	LTSI H-M-L-N	USEFUL LIFE EXP.
472	BO	<i>Q. doug.</i>	32	5	I	3%	GR	F,M	YES	I,IV	excel.	mistletoe	70/70	none	75
473	BO	<i>Q. doug.</i>	30	5	I	3%	GR	F,M	YES	I,IV	excel.	deadwood	70/70	none	75
474	BO	<i>Q. doug.</i>	17	4	R	100%	GR	NONE	NO		good		25/30		80
475	BO	<i>Q. doug.</i>	9	3	A	0%	NONE	F	NO	I,IV	fair		15/15	none	3
476	BO	<i>Q. doug.</i>	17	0	R	100%	GR	NONE	NO		poor	dead			0
477	BO	<i>Q. doug.</i>	10	2	R	100%	GR	NONE	NO		poor	stressed	12/10		3
478	BO	<i>Q. doug.</i>	9	0	R	100%	GR	NONE	NO		poor	dead			0
479	BO	<i>Q. doug.</i>	14	0	R	100%	GR	NONE	NO		poor	dead			0
480	BO	<i>Q. doug.</i>	16	2	R	100%	GR	NONE	NO		fair	stressed	15/16		3
481	BO	<i>Q. doug.</i>	28	0	R	100%	GR	NONE	NO		poor	dead			0
482	BO	<i>Q. doug.</i>	34	0	R	100%	GR	NONE	NO		poor	dead			0
483	BO	<i>Q. doug.</i>	17	2	R	100%	GR	NONE	NO		poor	in decline	20/18		10
484	BO	<i>Q. doug.</i>	41	2	R	100%	GR	NONE	NO		good	massive failure	55/50		10
485	BO	<i>Q. doug.</i>	15	3	R	100%	GR	NONE	NO		fair	tip dieback	20/24		25
486	BO	<i>Q. doug.</i>	20	2	R	100%	GR	NONE	NO		fair	tip dieback	24/22		25
487	BO	<i>Q. doug.</i>	30	4	R	100%	GR	NONE	NO		good	3 trunk	25/25		50
488	BO	<i>Q. doug.</i>	38	5	A	0%	NONE	F	NO	I,IV	excel.	heavy n. side	55/55	none	65

1 = TREE #: MOSTLY CLOCKWISE FROM DUE NORTH

2 = TREE TYPE: COMMON NAME IE.W.O.= WHITE OAK

3= SCIENTIFIC NAME

4 = TRUNK DIAMETER @ 46"

5 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT

6 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL

7 = CRZ: PERCENT OF IMPACTED CRITICAL ROOT ZONE

8= CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING, FILL

9 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,

10 = ARBORIST MONITORING REQUIRED: YES/NO

11 = PERSCRIBED PRUNING: CLASS 1-4

12= AESTHETIC VALUE

13= FIELD NOTES

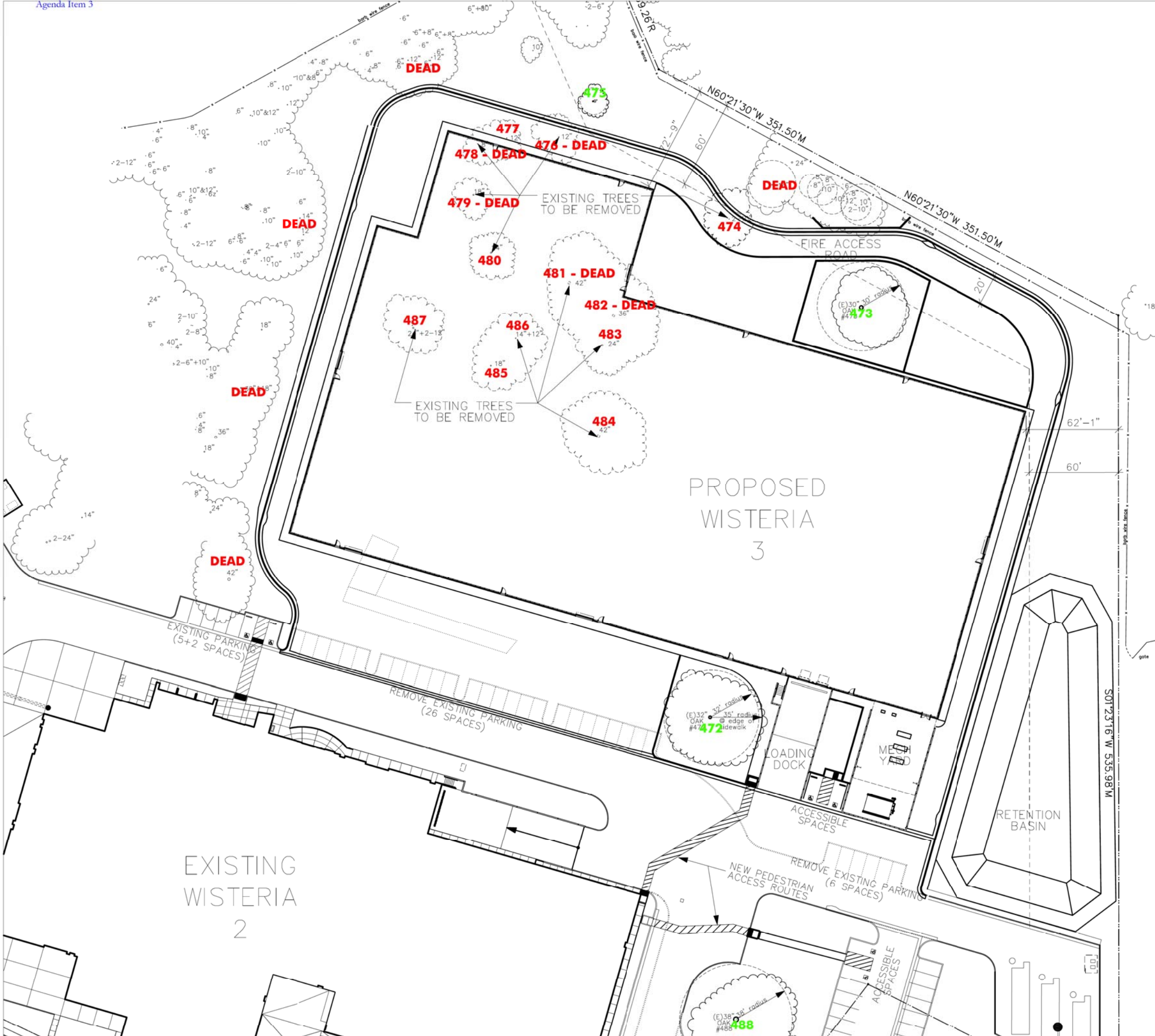
13= NORTH SOUTH/ EAST WEST CANOPY SPREAD

14= CANOPY SPREAD

15= LONG TERM SIGNIFICANT IMPACTS: HIGH, MEDIUM, LOW, NONE

16 = USEFUL LIFE EXPECTANCY

4/25/2018



TREE PROTECTION SPREAD SHEET

TREE #	TRUNK DBH* (inches)	REPLACEMENT DBH** (inches)
472	32	TO REMAIN
473	30	TO REMAIN
474	17	4.25
475	9	TO REMAIN
476	17	DEAD
477	10	2.5
478	9	DEAD
479	14	DEAD
480	16	4
481	28	DEAD
482	34	DEAD
483	17	4.25
484	41	10.25
485	15	3.75
486	20	5
487	30	7.5
488	38	TO REMAIN
REPLACEMENT TOTAL		41.5

Source: Oak Tree Protection Plan, Justin Winery Barrel Room, Wisteria, A & T Arborists, 21 March 2018
 *DBH = Trunk diameter @ breast height or 4-feet 6-inches
 **See Ordinance No. 835 N.S., MC 10.01.050, F of the City of El Paso de Robles for replacement formula

LEGEND
■ TREES TO BE REMOVED
■ TREES TO REMAIN



Architecture, Planning & Graphics
 3592 Sacramento Dr., Suite 140
 San Luis Obispo, California 93401
 805/541-5604 voice

Project:
 JUSTIN WISTERIA 3
 TRACT 2778-2
 LOTS 9-14
 2295 WISTERIA LANE
 PASO ROBLES
 CA 93446

Owner:
 JUSTIN VINEYARDS
 AND WINERY, LLC

2295 WISTERIA LANE
 PASO ROBLES
 CA 93446
 (805) 238 - 6932

Consultant:

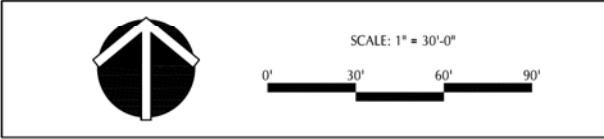
Sheet Contents:
TREE EXHIBIT



Date: 07 FEB 2018
 Revised: 19 APRIL 2018

Job No:

Sheet:



TREE EXHIBIT PHOTOGRAPHS

Oak tree photographs and captions reference the 'Tree Protection Spread Sheet' from the *Justin Winery Oak Tree Protection Plan* by A & T Arborists, 21 March 2018.



TREE 479



TREE 480



TREE 481



TREE 482



TREE 483



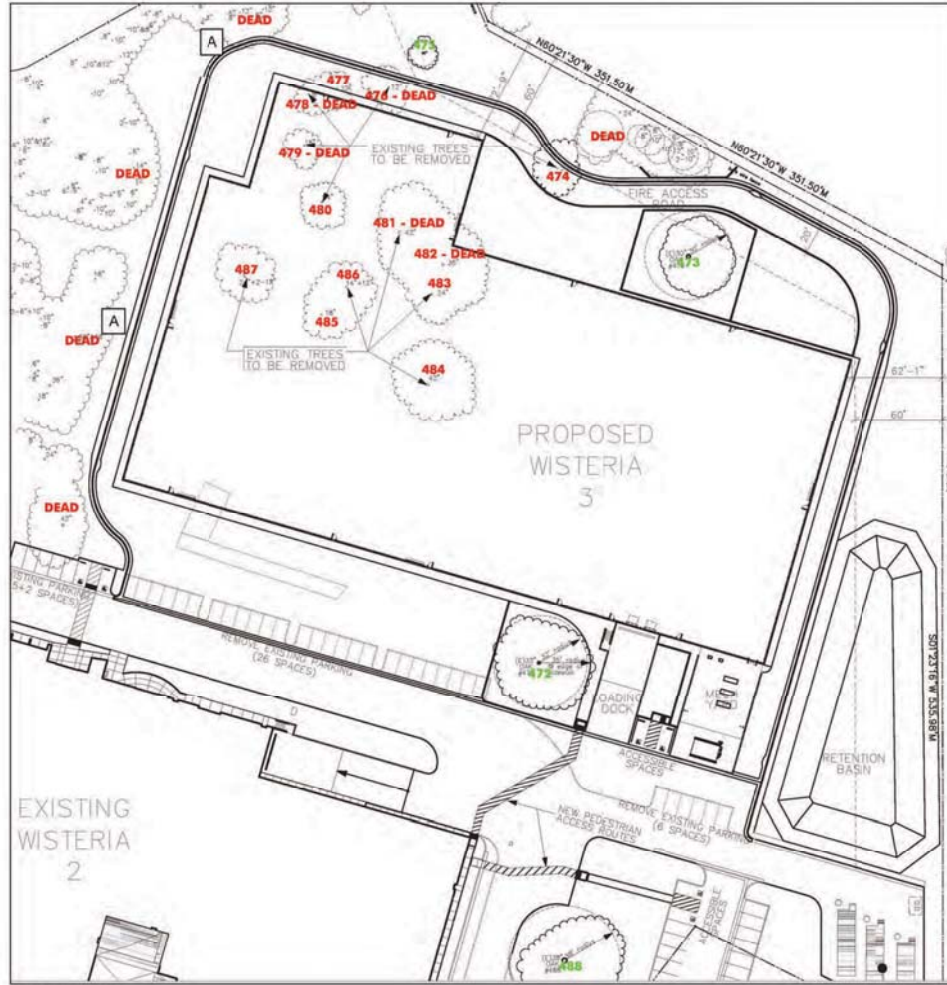
TREE 477



TREE 476



TREE 478



TREE EXHIBIT

SCALE 1" = 60'



TREE 484



A DEAD PERIMETER TREES



TREE 485



TREE 486



TREE 487

A & T ARBORISTS
 P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131

Owner:
 JUSTIN VINEYARDS
 AND WINERY, LLC

 2265 WISTERIA LANE
 PASO ROBLES
 CA 93446
 (805) 238 - 6932

Consultant:

 Sheet Contents:

TREE EXHIBIT

Date: 07 FEB 2018
 Revised: 19 APRIL 2018

Job No:

Sheet:

2 of 2

RECEIVED

JUL 23 2018

City of Paso Robles
Community Development Dept.

THE *Newspaper of the Central Coast*
TRIBUNE

3825 South Higuera • Post Office Box 112 • San Luis Obispo, Calif

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

AD #3763880
CITY OF PASO ROBLES

STATE OF CALIFORNIA

SS.

County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general Circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof – on the following dates to wit; JULY 20, 2018 that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

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

James E. Durand

(Signature of Principal Clerk)

DATE: JULY 20, 2018
AD COST: \$344.85

**CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARING AND
NOTICE OF INTENT TO ADOPT A MITIGATED
NEGATIVE DECLARATION**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will consider making recommendations to the City Council to adopt of a Mitigated Negative Declaration in accordance with the California Environmental Quality Act and approval of the following project:

Project Title: Planned Development PD 18-001 & Oak Tree Removal OTR 18-14 (Justin Building 3)

Applicant: Justin Vineyards & Winery, LLC

Project Location: 2265 Wisteria Lane, Paso Robles, CA
APN: 025-435-027 & 030

Planned Development 18-001 & OTR 18-14: The Justin Building 3 project consists of adding a 109,474± square foot (SF) wine storage building, including barrel storage, office, shipping and receiving, and an electrical room. There is also a covered mechanical area located adjacent to the loading dock on the southeast corner of the building. The applicants are requesting approval to remove 13 oak trees from the site to accommodate the development of the proposed Justin 3 building.

The Public Review Period for the proposed Mitigated Negative Declaration will commence on July 16, 2018, and end on August 14, 2018. The public hearing before the Planning Commission is scheduled to take place on Tuesday, July 31, 2018, at the hour of 6:30 pm in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California. All interested parties may appear and be heard at this hearing.

PD 18-001 and OTR 18-14 were reviewed at the Planning Commission meeting on July 10, 2018, where the Planning Commission continued the item to the July 31, 2018 meeting.

FINDING

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

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

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

NOTICE

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

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

Darren Nash, Associate Planner
July 20, 2018

July 16, 2018

3763880



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

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Gisele Tremblay, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Planned Development 18-001 & OTR 18-14 on this 18th day of July, 2018.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Gisele Tremblay