

RESOLUTION NO. 12-003

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
APPROVING A MITIGATED NEGATIVE DECLARATION FOR  
PLANNED DEVELOPMENT 11-004 & CONDITIONAL USE PERMIT 11-006  
(PASO ROBLES HORSE PARK, LLC)  
APN: 025-435-008

WHEREAS, Planned Development 11-004 & Conditional Use Permit 11-006, have been submitted by RRM Design Group, on behalf of the Paso Robles Horse Park, LLC, requesting to establish an equestrian facility for hunter and jumper competitions; and

WHEREAS, the project is located on a 67-acre parcel located south end of Hughes Parkway, south of Dry Creek Road, west of Airport Road; and

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

WHEREAS, Public Notice of the proposed Mitigated Negative Declaration was distributed as required by Section 21092 of the Public Resources Code and no written comments have been submitted; and

WHEREAS, a public hearing was conducted by the Planning Commission on January 24, 2012 to consider the Initial Study prepared for this application, and to accept public testimony regarding this proposed environmental determination; and

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

WHEREAS, the Mitigation Monitoring Program, attached as Exhibit A to this resolution, has been reviewed by the Planning Commission in conjunction with its review of this project and shall be carried out by the responsible parties by the identified deadlines; 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 Planned Development 11-004 as site specific conditions summarized below.

Topic of Mitigation	Condition #
Transportation	14
Air Quality	15
Greenhouse Gas	16
Biological (Kit Fox & Oak Trees)	17

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of El Paso de Robles, based on its independent judgment, approves a Mitigated Negative Declaration for Planned Development 11-004 & CUP 11-006, in accordance with the California Environmental Quality Act; and

PASSED AND ADOPTED THIS 24th day of January 2012, by the following roll call vote:

AYES: Treatch, Gregory, Holstine, Vanderlip, Peterson, Barth, Garcia

NOES: None

ABSENT: None

ABSTAIN: None

  
\_\_\_\_\_  
CHAIRMAN AL GARCIA

ATTEST:

  
\_\_\_\_\_  
ED GALLAGHER, PLANNING COMMISSION SECRETARY

ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM  
CITY OF PASO ROBLES

- 1. PROJECT TITLE:** Paso Robles Horse Park
- Concurrent Entitlements:** PD 11-004 & CUP 11-006
- 2. LEAD AGENCY:** City of Paso Robles  
1000 Spring Street  
Paso Robles, CA 93446
- Contact:**  
**Phone:** (805) 237-3970  
**Email:**
- 3. PROJECT LOCATION:** Hughes Parkway, south of Dry Creek Road, west of Airport Road.
- 4. PROJECT PROPONENT:** RRM Design Group
- Contact Person:** Jeff Ferber (Representative)
- Phone:** (805) 541-1794  
**Email:** [jcferber@rrmdesign.com](mailto:jcferber@rrmdesign.com)
- 5. GENERAL PLAN DESIGNATION:** POS (Parks and Open Space)
- 6. ZONING:** RA-PD (Residential Agriculture, Planned Development) with a portion of the site zoned POS (Parks and Open Space PD)
- 7. PROJECT DESCRIPTION:** Development Plan and Conditional Use Permit to develop an equestrian facility to provide for hunter/jumper competitive equestrian events. Events would be between 6 to 8 a year, generally during the months of January through November. During the times when there is not an event the only use of the property would be an on-site care taker managing for the property. No public horse boarding, breeding or training of horses are proposed for this facility.

The facility would develop approximately 39.5 acres of the 67 acre site. Development would include minor grading, since the area of development is relatively flat. The site improvements would consist of:

- Parking Areas, approximately 8.1-acres of all-weather surfacing;
- RV Camping area, approximately 4-acres, would accommodate 33 RV spaces that would only be utilized during events and only for persons participating in the event. The RV spaces will not be available for general transient lodging;
- Arenas and Fields, 11-acres including the large grass event area, main arena, sand arenas, warm up areas, derby field;
- Horse Stalls, approx. 5.2 acres, includes horse stalls, wash racks, farrier area, temporary competitor tents;
- Site Facilities, approx. 4.6 acres, includes office and registration building, restroom building, caretaker residence, Hay Barn, Maintenance Shop;
- Open space areas, approx. 32.3 acres, vendor area, concession area, spectator tent, event overlook, picnic and seating areas.
- Drainage areas would cover approximately 2 acres.

- 8. ENVIRONMENTAL SETTING:** The Property is situated on a gently sloping terrace surrounded on three sides by the Huerhuero Creek. Four large valley oak trees are located near the south end of the terrace.

The east, south, and west sides of the property slope toward the Huerhuero creek, which is below and outside of the project boundary. Blue oak woodlands on these slopes have the greatest native plant cover and species diversity on the property. The gently sloping top of the terrace continues north of the property, where vineyards occupy most of the neighboring property. The property has been plowed historically, and remnants of an old irrigation system and agricultural pond remain. Vegetation covers 40-60 percent of the tilled ground, and average height of 10 to 14 inches. The sight is relatively flat with a natural slope between the upper terrace where the entrance and parking would be and the lower terrace which is where the event fields and stables would be. The fields have been designed to orient the existing slope, so that the slope can be used by spectators to view the activities on the lower fields.

- 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 type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology /Soils                     |
| <input checked="" 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 checked="" 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: \_\_\_\_\_

Date: 12/20/11

**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

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**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 designated 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 67 acre project is located in a rural area of the City and is separated from other large acre rural lands by the Huer Huero Creek. The site is adjacent to vineyards to the north. The proposed project will include minimal structures and will consist of large expanses of exhibition fields, parking areas and open space areas. The project is in keeping with low-scale rural development pattern in the surround area and 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Any new exterior lighting will be required to be shielded so that it does not produce off-site glare. The equestrian events will not be held at night. The only exterior lighting will be security and residential type lighting.

**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: According to the 2008 State of California Farmland Map, the site is considered "Other Land" which would be considered land suitable for livestock grazing, low density rural development or surrounded by development, therefore there will be no impact to Prime, Unique or farmland of state wide significance.

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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: The site is not under Williamson Act contract. The proposed equestrian facility is a permitted use in the RA zoning district subject to the approval of a Conditional Use Permit. A CUP has been filed with the City and is part of the project being evaluated with this environmental review.

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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: See comments in Section IIb.

d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: There are no existing forests in the area where the project is proposed. The project is designed in a manner that will be preserving the oak woodlands located on the surrounding slopes between the project area and the Huer Huero creek.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The proposed equestrian facility is an agricultural oriented land use and is compatible with the AG and farming operations in the vicinity, and would not result in conversion of farmland. There is evidence that the site was used for farming, given the remnants of an irrigation system. The site is disked on a yearly basis and continues to be used for cattle grazing. Additionally, the project site is zoned in a manner that would allow the proposed use. There will be no impact as a result of farmland conversion.

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

a. Conflict with or obstruct implementation of the applicable air quality plan? (Source: Attachment 5)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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*Discussion: The San Luis Obispo County area is a non-attainment area for the State standards for ozone and suspended particulate matter. The SLO County Air Pollution Control District (APCD) administers a permit system to ensure that stationary sources do not collectively create emissions which would cause local and state standards to be exceeded. The potential for future project development to create adverse air*



<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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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.

The project was sent to the APCD for review. The City received a letter from the APCD dated August 31, 2011 (Attachment 5 to this Initial Study). The APCD letter indicates that the construction phase impacts will be less than APCD's significance thresholds and no mitigation is required. The APCD indicates that the project would exceed the APCD's significance threshold of 4-acres of disturbed area and therefore the APCD estimates that the construction would result in 665 metric tons of carbon dioxide equivalents, therefore the APCD is requiring the following construction phase mitigation measure for this project:

**Air Quality Mitigation Measures**

**AQ-1** If utility pipelines are scheduled for removal or relocation; or building are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP). Also please note that developmental burning of vegetative material is prohibited.

**AQ-2** Since the area to be graded for the project exceeds 4-acres, the following mitigation measures to manage fugitive dust emission such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and do not impact off-site areas prompting nuisance violations (APCD Rule 402) shall be implemented:

- a. Reduce the amount of the disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
- c. All dirt stockpile areas should be sprayed daily as needed.
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
- e. Exposed ground areas that are to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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top of trailer) in accordance with CVC Section 23114.

- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;
- l. All PM10 mitigation measures required should be shown on grading and building plans;
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust off-site. 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-3** Construction Permit Requirements:

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

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

Operational Phase Mitigation:

The APCD staff evaluated the operational phase impacts of this project using the CalEEMod.2011.1 computer model, a tool for estimating operational emissions related to the development of land uses. Staff used the models default operational inputs, limited project specifications, and reasonable worst case assumptions to indicate that impacts of the project at build-out will exceed operational phase thresholds. APCD calculations determined that in order to reduce operational phase impacts, a Lifetime Off-Site mitigation Value for Air Quality impacts at a fee of \$14,761 (with an Administration management cost of \$1,476 as necessary) would be required. In order to off-set the Paso Robles Horse Park air quality impacts to a level of insignificance, the following mitigation measures would need to be applied to the project:

**AQ-4** Prior to the issuance of a grading permit the applicant would need to pay the \$14,761 fee would be required to be paid to the APCD along with any administration fees required for management as necessary. An administrative management cost of \$1,476 shall be required as determined by the APCD.

**AQ-5** The event participant vehicles shall not exceed 500 per day.

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>AQ-6</b>	A soil binding agent shall be used on all parking lots, drive areas and vehicle access roads that are used during events. The type of binding agent shall be approved by City Staff along with APCD Staff. In order to better control dust, the binding agent may need to be altered (by using a different manufacture or product) for best results.			
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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: The project will not create objectionable odors. The project site of over 70 acres should adequately allow odors to dissipate prior to leaving the site.				

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>

(Source: Attachment 6,7&8)

Discussion (a-f):

The property is within a strategic section of the San Joaquin Kit Fox (SJKF) migration corridor and is SJKF habitat, therefore specific, unique project design and mitigation measures are incorporated into this project as recommended through consultation with the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG). The applicant modified the site development plan to reduce the area of impact to the San Joaquin Kit Fox habitat and migration corridor by reducing the proposed area to be developed. The Biological Assessment Report and SJKF Evaluation Form are attached as Exhibits 6 and 7.

There are no wetlands on the property or designated natural communities. Oak woodland and grassland are the prominent vegetation types on the property.

Scovell Tree Surgery prepared an Arborist Report for the project site (August 2011), which includes an inventory and survey of all trees (blue oaks and valley oaks) on the property. The inventory documented approximately 17 oak trees in the upper area of the site where the project will be located. Of the 17 oak trees, 7 trees are located within the development area of the project (the others are located around the perimeter of the project). No oak trees are proposed to be removed and all will be preserved and protected during project construction and on-going operation of the facility. The Arborist report is provided in attachment C, and the oak tree mitigation measures related to protection during construction are included below.

The proposed project will result in impacts on biological resources, however, with the implementation of the following mitigation measures, biological impacts will be less than significant:

<p><b>Potentially Significant Impact</b></p>	<p><b>Less Than Significant with Mitigation Incorporated</b></p>	<p><b>Less Than Significant Impact</b></p>	<p><b>No Impact</b></p>
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- BR-1.** All construction work in and around the existing oak trees shall be done in accordance with the City of Paso Robles, Oak Tree Preservation Ordinance.
- BR-2.** Tree protection measures shall be in place prior to issuance of a grading/construction permits.
- BR-3.** Oak Tree Protection fencing shall consist of a minimum 4-foot high chain link, snow or safety fence, staked at the Critical Root Zone, or at the line of encroachment to the CRZ as instructed by the Project Arborist. Prior to the issuance of a grading permit, the Project Arborist shall inspect the location of the fencing to insure adequacy of the installation and placement.
- BR-4.** All existing trees shall remain unless otherwise noted.
- BR-5.** Low branches in danger of being torn from trees shall be pruned prior to the start of any heavy equipment work.
- BR-6.** Any roots 2-inches or greater in diameter that are encountered during excavation shall be clean cut by hand and sealed with an approved seal, under the Arborists supervision.
- BR-7.** Vehicles and stockpiled material shall be stored outside the critical root zone of the trees.
- BR-8.** Any trenches under the critical root zone of the native trees shall be dug by hand to avoid any large roots.
- BR-9.** The Arborists shall be on-site to observe any excavation within the Critical Root Zone of any oak tree.
- BR-10.** Within one week of ground disturbance activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. 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. A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the Project site and nest locations shall be included with the report. The Project biologist conducting the survey shall have authority to reduce or increase the recommended buffer depending upon site conditions.
- BR-11.** Occupied burrows or nests of special status bird species shall be mapped using GPS or survey equipment. Work shall not be allowed within the 100 foot buffer while the nest is in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.
- BR-12.** Occupied burrows or 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-13.** Prior to the start of work between March 15 and August 15 (nesting season) on the storm water basin, or other work closer than 660 feet from a known eagle nest, a biologist shall confirm use of the previously documented golden eagle nest. A no-work buffer of at least 660 feet from an active eagle nest shall be observed until young have fledged (USFWS 2007; bald eagle guidelines). Following construction of the storm water basin, activities are not anticipated to disturb the area within 660 of the nest, so ongoing mitigation measures are not required.

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**BR-14.** Pre-construction surveys for silvery legless lizard shall be conducted, as applicable, prior to primary grubbing and other construction activities that affect previously undisturbed habitat under oak canopy. The surveys shall be conducted within three weeks of the start of work. If no special status species are found, construction activities may begin immediately. If a silvery legless lizard is found, a qualified biologist shall move them to the nearest safe location. Additional monitoring may be required if the project biologist determines that special status species could move onto the project site during construction, or be forced out of underground burrows during grading. The project biologist shall have the authority to stop work if special status species are found in the project areas during construction.

**BR-15.** A pre-construction survey shall be conducted within 30 days of beginning construction work on a portion of the Project site to identify if badgers are present. The results of the survey shall be sent to the Project manager and lead agency.

If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover all Project areas included in the respective construction phase, 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 between February and July, nursing young may be present. To avoid disturbance and the possibility of direct loss 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 1 and July 1. Between July 1 and February 1 all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are active 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 Project site during the pre-construction survey, and are not raising young, they may be encouraged to vacate the den by a qualified biologist. If measures such as partially blocking den entrances do not result in the badger moving, badgers may be live trapped and moved to save locations.

**BR-16.** Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of Paso Robles Planning 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 **79 (39.5 disturbed area x2)** acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

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

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

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin

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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 **\$197,500**. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase **79** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total **\$197,500**. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

**BR-17. Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:

- i. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- ii. **The qualified biologist shall conduct weekly site visits during site-disturbance activities** (i.e. grading, diskings, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-19 through BR-26. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-19iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.
- iii. **Prior to or during project activities**, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFG for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the USFWS. The results of this consultation may

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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.



**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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

(Source: Attachment 8)



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Discussion (a-d):

An Archeological Survey was prepared by Cultural Resource Management Services (CRMS) dated August 31, 2011. The report concluded that during the field investigation that no prehistoric or historic cultural resources were encountered during the survey. Additionally as a result of a records search, of the studies that were found within a 1000-foot radius of the site, zero archeological sites were identified. Therefore, this project will have no impact to Cultural Resources. The following standard condition will be applied to this project.

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



**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"/>
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*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.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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*Discussion:* The proposed project will be constructed to current CBC codes. The General Plan EIR identified impacts resulting from ground shaking as less than significant and provided mitigation measures that will be incorporated into the design of this project including adequate structural design and not constructing over active or potentially active faults.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iii. Seismic-related ground failure, including liquefaction? (Sources: 1, 2 & 3)  Discussion: Per the General Plan EIR, the project site is located in an area with soil conditions that have a 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?  Discussion: See discussions above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil? (Sources: 1, 2, & 3)  Discussion: Per the General Plan EIR the soil condition is not erosive or otherwise unstable. As such, no significant impacts are anticipated. A geotechnical/ soils analysis will be required prior to issuance of 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. An erosion control plan shall be required to be approved by the City Engineer prior to commencement of site grading.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?  Discussion: See response to item a.iii, above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?  Discussion: See response to item a.iii, above.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?  Discussion: The facility will be connected to the City's sanitary sewer system, therefore there is no impact.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion (a-b):

**GHG-1** Greenhouse Gas Impacts and Mitigation:

Besides the mitigation requirements discussed in the Air Quality section (Section IIIa) of this Study related to Construction Phase Mitigation, APCD also discussed in their August 31, 2011, and more specifically as a result of later modeling that the project exceeds thresholds and needs to mitigate for Greenhouse Gas Impacts. The letter noted that APCD staff considered the operational impacts of this proposed planned development by running the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and resulting emissions related to the project's land uses. It was concluded that feasible GHG mitigation measures for both the construction and operational phases of this project should be identified.

The following are some measures suggested by the project Architect that were accepted by APCD Staff as being feasible for the Paso Robles Horse Park project to incorporate into the design and operation of the site and facility.

- a. Install efficient lighting and lighting control systems. Site and design building to take advantage of daylight;
- b. Use trees, landscaping and sun screens on west and south exterior building walls to reduce energy use;
- c. Install LED exterior light fixtures;
- d. Limit hours of operation of outdoor lighting;
- e. Create water efficient landscapes;
- f. Install water efficient irrigation systems and devices, such as soil moisture-based irrigation controls;
- g. Design buildings to be water efficient. Install water-efficient fixtures and appliances;
- h. Concessions and vendors provide places for Horse Park visitors to obtain meals, goods and services;
- i. The RV camping areas allow 28 competitors/trainers to stay on the site rather than requiring trips back and forth into town for lodging;
- j. Pony rides may be provided from time to time to allow for family entertainment on the site during competitive down time;
- k. Bike racks and a trolley or shuttle stop will be provided to reduce the number of vehicle trips required for the project.

Based on the minimal construction involved with this project along with the low frequency of events per year, along with the items listed above, it is anticipated that the project impacts related to GHG emissions will be less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**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"/> |
| 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"/> |
| 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"/> |
| 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"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

Discussion (a-h):

The proposed equestrian facility will be constructed in a manner that will comply with the necessary building codes as well as County Environmental Health requirements, and requirements related to the Airport Land Use Plan. Therefore it is not anticipated that the project will be constructed in a manner that would create any physical or chemical safety hazards. Additionally, during events, on a daily basis, the horse manure will be collected and placed in a roll-off container and transported to a facility that will use the manure as fertilizer.



**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 type="checkbox"/>	<input type="checkbox"/>
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"/>
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"/>
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"/>

	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)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality? Discussion:	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by mudflow?	<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?	<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? Discussion (a-l):	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The site is relatively flat and will be designed to divert storm water from the north end of the site to the southern end, then down to the open space to infiltrate in a drainage area which is near the Huer Huero Creek. Low Impact Design measures will be used to retain the water on site and allow for water to meter out to the creek after being infiltrated through vegetation to allow for cleansing. 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

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quality and water supply.

Additionally, the project has a system for managing the disposal of horse manure during events. Employees of the facility will empty the multiple bins within the horse stall area in to roll-off containers that will be picked up each day during events and transported to a local compost company.

**X. LAND USE AND PLANNING:** Would the project:

- a. Physically divide an established community?

Discussion: The project consists of constructing an equestrian facility on an existing 67 acre parcel of land that consists of oak woodlands on the surrounding slopes, and a relatively flat area that has been used for cattle grazing. The development of the project on the site will not physically 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?

Discussion:

Equestrian facilities are a permitted use with the approval of a Conditional Use Permit in the Residential Agricultural (RA) zoning and Parks and Open Space (POS) land use designation of the Zoning Code and General Plan. Therefore, there will not be impacts to land use plans or policies. There are no other land use plans or policies that would effect this site. A majority of the property is located within Airport Planning Zones 5, with the rest in Zone 3. The Land Use Compatibility Matrix within the Airport Land Use Plan indicates that equestrian facilities are permitted within Zones 3 and 5.

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

Discussion: There are no habitat conservation plans or natural community conservation plans established in this area of the City. Therefore there would be no conflicts.

**XI. MINERAL RESOURCES:** Would the project:

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

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

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

**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 6-8 weekend events per year on the remotely located property would 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"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>
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. The AG related use is permitted on the Residential Ag zoned property.

**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):

Since the project is on property that is within City limits and is a permitted use under the current zoning and General Plan Land Use designation (subject to the proposed CUP) the project will not create an impact to public services. Also, the construction of facilities that require building permits will pay development impact fees that would go towards public facilities.

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

**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.

**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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

(Source: Attachment 9)

Discussion (a,b): The traffic study that was prepared by W-Trans for the project (December 2011) indicates that the intersection of Airport Road and Highway 46E continues to operate adequately. The project's impact will be minimal, however over time, cumulative development in the area will degrade the operation of the intersection resulting in longer delays and queues. In accordance with Caltrans' Corridor Study, the City and Caltrans are currently studying options for improving the intersection of Union Road and Highway 46E and linking that intersection to Airport Road at a junction north of the highway.

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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Participation in future intersection improvements will be provided in the form of transportation impact fees. New impact fees based on the parallel routes planned in the 2011 Circulation Element are under study.

**T-1** As recommended in the traffic study, the applicant shall arrange to avoid impact on peak hour traffic at the intersection of Highway 46E and Airport Road until such time as the City has established an alternate route.

**T-2** The applicant shall pay transportation impact fees established by City Council in affect at the time of occupancy.

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

Discussion (c-f): The location of the project site is in an area away from busy streets and intersections. The site is large enough to allow for adequate circulation on-site so that traffic will not impact air traffic patterns, create hazardous design features or incompatible uses. The project will provide adequate emergency access and will not conflict with adopted policies related to transit, bicycle or pedestrian facilities.

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**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"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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 project=s projected demand in addition to the provider=s 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 project would be a small scale development that would include a house, office and restroom, and since it complies with the RA zone and the POS land use designation, and since utilities are available for connection to this site, the existing utilities and service systems will be adequate for this project, therefore there is no impact to Utilities and Service systems.

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**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"/>
--	--------------------------	--------------------------	-------------------------------------	--------------------------

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
---	---	---	----------------------

Discussion: As noted within this environmental document, and with the mitigation measures outlined in the document, the projects impacts related to habitat for wildlife species (San Joaquin Kit Fox) will be less than significant with mitigation incorporated. There will be no impact to fish habitat as well as no impact to fish and wildlife populations. The site is routinely maintained and mowed, so impact to fish, wildlife, of plant habitat is less than significant.

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

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

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

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

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

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

**EARLIER ANALYSIS AND BACKGROUND MATERIALS.**

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

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

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

**Attachments:**

- 1. Vicinity Map**
- 2. Site Plan**
- 3. Mitigation Agreement**
- 4. Monitoring Table**

**The following attachments are on file in the Community Development Department:**

- 5. APCD - Letter**
- 6. Biological Study**
- 7. Kit Fox Evaluation**
- 8. Arborist Report**
- 9. Cultural Study**
- 10. Traffic Study**



**Attachment 1**

Vicinity Map  
PD 11-004 & CUP 11-006  
(P.R. Horse Park)

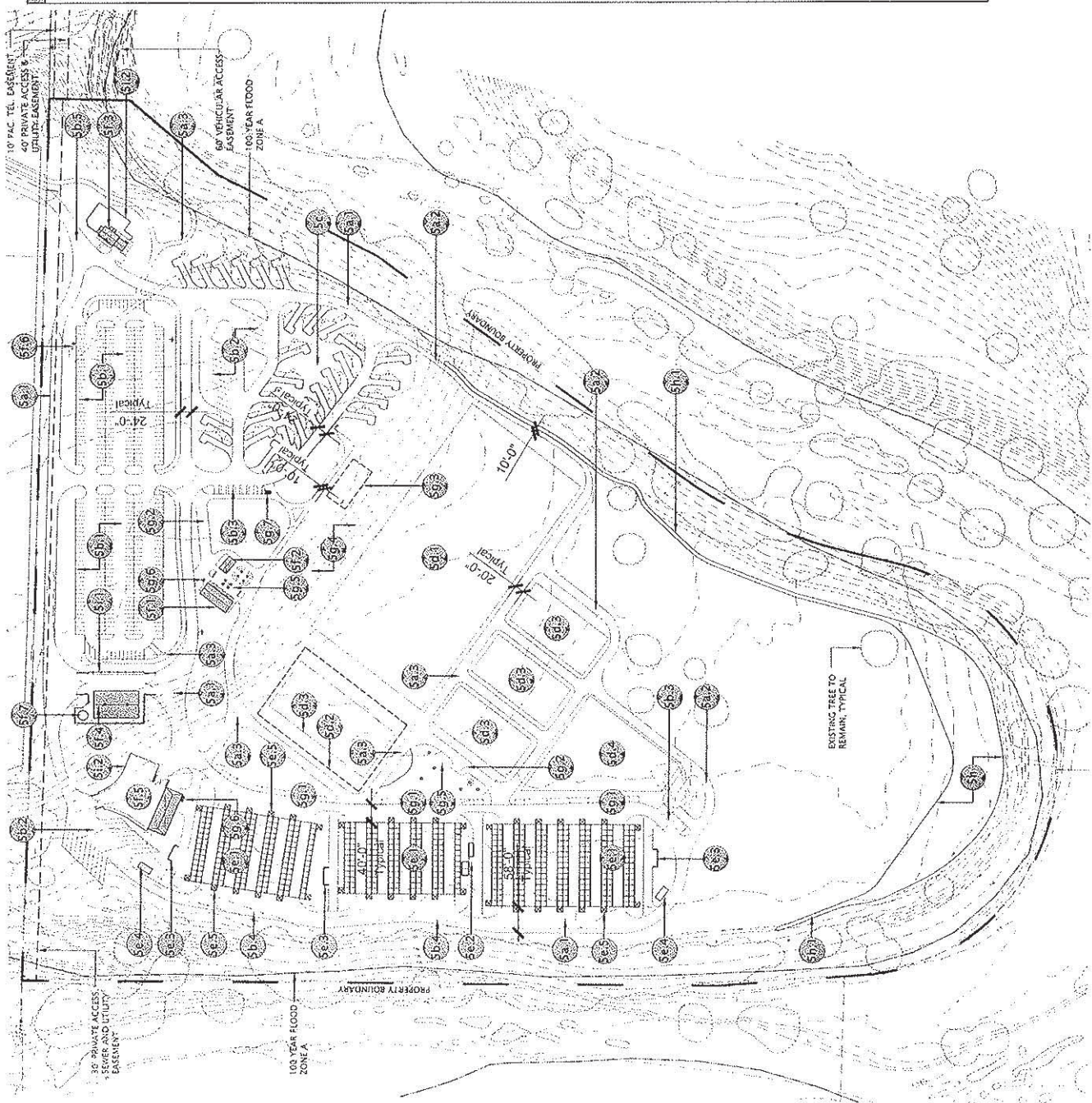




LEGEND

- Circulation:**
  - Primary Vehicular Circulation Route (Operations and Maintenance Route (Limited Access Ranch Road))
  - Pedestrian & Internal Circulation
- Parking Areas:**
  - Parking Lot
  - Trailer Parking
  - Handicapped Parking
  - Parking behind Horse Stalls
  - Gateway Area & Entry Signage
  - RV Camping Area
- Arenas & Fields:**
  - Large Grass Event Area (600' x 300')
  - Main Arena (Phase 3) (260' x 200') Lighting & Bleachers
  - Sand Arenas (200' x 100') & Temporary Bleachers
  - Warm Up Arena (Variable size)
- Horse Stall Areas:**
  - Horse Stalls (Phase One - 210)
  - (Phase One - 140)
  - (Phase One - 150)
  - Farrier Area
  - Wash Racks
  - Manure Roll-Off Bins (Portable)
  - Temporary Competitor Tents
- Site Facilities:**
  - Office and Registration
  - Permanent Restroom
  - Caretaker's Quarters
  - Hay and Feed Barn
  - Maintenance Shop and Yard
  - Existing Well and Pump
  - Potential Water Storage
- Park and Open Space Areas:**
  - Vendor Area (Mobile)
  - Concession Truck Parking
  - Spectator Tent (Temporary Portable)
  - Event Overlook
  - Picnic and Seating Areas
  - Employee Bike Parking
  - Trolley or Shuttle Stop
  - Drainage Area
  - Drainage Swale
- Project Fencing:**
  - Interior Rail Fence - 4' to 6' high
  - Interior Privacy or Screen Fence - 6' high

\* Refer to Project Description for additional information



**Attachment 2**  
 Site Plan  
 PD 11-004 & CUP 11-006  
 (P.R. Horse Park)

**CITY OF EL PASO DE ROBLES**  
**MITIGATION AGREEMENT FOR**  
**DRAFT MITIGATED NEGATIVE DECLARATION**

Lead Agency: City of El Paso de Robles  
Director of Community Development  
1000 Spring Street  
Paso Robles, CA 93446

Contact Person: Ed Gallagher, Community Development Director

File No.: .....PD 11-004/CUP 11-006  
Applicant:.....Paso Robles Horse Park, LLC.  
Project Description: .....to construct an equestrian facility  
Location: .....Hughes Parkway, south of Dry Creek Road, west of Airport Road.

**MITIGATION AGREEMENT:**

As the applicant and property owner, we hereby agree to the mitigation measures listed in the attached Exhibit "A", Mitigation Monitoring Plan, as identified in the related Initial Study, which are necessary in order to avoid or reduce any adverse environmental effects to a less than significant level and no significant adverse effects would occur as a result of the projects approval. I also understand that additional mitigation measures may be required following the review of the "Proposed Negative Declaration" by the public and by the applicable advisory and final decision-making bodies.

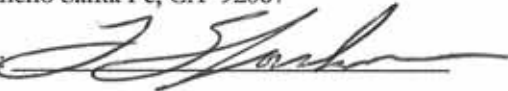
**FUTURE INDEPENDENT CEQA REVIEW:**

As the applicant and property owner, we understand and hereby agree that in addition to the mitigation measures identified in Exhibit "A", the City reserves the right to further review future development plans within the Project for CEQA compliance independently of the Initial Study attached to Resolution 12-\_\_\_, to adopt a Mitigated Negative Declaration for PD 11-004/CUP 11-006.


This agreement shall be binding on the applicant/owner and on any successors in interest.

IN WITNESS WHEREOF, the Community Development Director or his assign, representing the City of El Paso de Robles, and the applicant/owner or his legal representative have executed this agreement on the 24<sup>th</sup> day of January, 2012.

APPLICANT: Paso Robles Horse Park, LLC.  
P.O. Box 590  
Rancho Santa Fe, CA 92067

By: 

CITY OF EL PASO DE ROBLES

By:   
ED GALLAGHER  
Community Development Director

Mitigation Monitoring and Reporting Plan

Project File No./Name: PD 11-004, CUP 11-006 – Paso Robles Horse Park, LLC.

Approving Resolution No.:

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 to lessen the level of environmental impact of the project to a less than significant level. A completed and signed checklist for each mitigation measure indicates that it has been completed.

See attached Mitigation Summary Table for Mitigation Measure Descriptions.

Mitigation Measure	Type	Monitoring Dept or Agency	Shown on Plans	Verified Implementation	Remarks
AQ-1	Project	Planning Division, Building Division			
AQ-2	Project and Ongoing	Planning Division			
AQ-3	Project	Planning Division, Building Division			
AQ-4	Project	Planning Division, Building Division			
BR-1	Project	Planning Division			
BR-2	Project	Planning Division			
BR-3	Project	Planning Division			
BR-4	Project	Planning Division			
BR-5	Project	Planning Division			
BR-6	Ongoing	Planning Division			
BR-7	Project	Planning Division			
BR-8	Project	Planning Division			
BR-9	Project	Planning Division			
BR-10	Project	Planning Division			
BR-11	Project	Planning Division			
BR-12	Project	Planning Division			
BR-13	Project	Planning Division			
BR-14	Project	Planning Division			
BR-15	Project	Planning Division			
BR-16	Project	Planning Division			
BR-17	Project	Planning Division			
T-1	Project	Planning Division			
T-2	Project	Planning Division			

Mitigation Measure	Type	Monitoring Dept or Agency	Shown on Plans	Verified Implementation	Remarks

Explanation of Headings:

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

## Mitigation Summary Table

### Air Quality Mitigation Measures

- AQ-1** If utility pipelines are scheduled for removal or relocation; or building are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61,Subpart M – asbestos NESHAP). Also please note that developmental burning of vegetative material is prohibited.
- AQ-2** Since the area to be graded for the project exceeds 4-acres, the following mitigation measures to manage fugitive dust emission such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and do not impact off-site areas prompting nuisance violations (APCD Rule 402) shall be implemented:
- a. Reduce the amount of the disturbed area where possible.
  - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
  - c. All dirt stockpile areas should be sprayed daily as needed.
  - d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
  - e. Exposed ground areas that are to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
  - f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
  - g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
  - h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
  - i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
  - j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
  - k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;
  - l. All PM10 mitigation measures required should be shown on grading and building plans;
  - m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust off-site. 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-3** Construction Permit Requirements:

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

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

Operational Phase Mitigation:

The APCD staff evaluated the operational phase impacts of this project using the CalEEMod.2011.1 computer model, a tool for estimating operational emissions related to the development of land uses. Staff used the models default operational inputs, limited project specifications, and reasonable worst case assumptions to indicate that impacts of the project at build-out will exceed operational phase thresholds. APCD calculations determined that in order reduce operational phase impacts, a Lifetime Off-Site mitigation Value for Air Quality impacts at a fee of \$14,761 (with an Administration management cost of \$1,476 as necessary) would be required. In order to off-set the Paso Robles Horse Park air quality impacts to a level of insignificance, the following mitigation measures would need to be applied to the project:

**AQ-4** Prior to the issuance of a grading permit the applicant would need to pay the \$14,761 fee would be required to be paid to the APCD along with any administration fees required for management as necessary. An administrative management cost of \$1,476 shall be required as determined by the APCD.

**AQ-5** The event participant vehicles shall not exceed 500 per day.

**AQ-6** A soil binding agent shall be used on all parking lots, drive areas and vehicle access roads that are used during events. The type of binding agent shall be approved by City Staff along with APCD Staff. In order to better control dust, the binding agent may need to be altered (by using a different manufacture or product) for best results.

## **GH-1**

### **Greenhouse Gas Impacts and Mitigation:**

Besides the mitigation requirements discussed in the Air Quality section (Section IIIa) of this Study related to Construction Phase Mitigation, APCD also discussed in their August 31, 2011, and more specifically as a result of later modeling that the project exceeds thresholds and needs to mitigate for Greenhouse Gas Impacts. The letter noted that APCD staff considered the operational impacts of this proposed planned development by running the URBEMIS2007 computer model, a tool for estimating vehicle travel, fuel use and resulting emissions related to the project's land uses. It was concluded that feasible GHG mitigation measures for both the construction and operational phases of this project should be identified.

The following are some measures suggested by the project Architect that were accepted by APCD Staff as being feasible for the Paso Robles Horse Park project to incorporate into the design and operation of the site and facility.

- a. Install efficient lighting and lighting control systems. Site and design building to take advantage of daylight;
- b. Use trees, landscaping and sun screens on west and south exterior building walls to reduce energy use;
- c. Install LED exterior light fixtures;
- d. Limit hours of operation of outdoor lighting;
- e. Create water efficient landscapes;
- f. Install water efficient irrigation systems and devices, such as soil moisture-based irrigation controls;
- g. Design buildings to be water efficient. Install water-efficient fixtures and appliances;
- h. Concessions and vendors provide places for Horse Park visitors to obtain meals, goods and services;
- i. The RV camping areas allow 28 competitors/trainers to stay on the site rather than requiring trips back and forth into town for lodging;
- j. Pony rides may be provided from time to time to allow for family entertainment on the site during competitive down time;
- k. Bike racks and a trolley or shuttle stop will be provided to reduce the number of vehicle trips required for the project.

**Table 20**  
**Office of the California Attorney General**  
**Methods to Offset or Reduce Global Warming Impacts**  
**Applicable to the Proposed Project**

Emission-Reduction Method	Project Consistency
<b>Energy Efficiency &amp; Renewable Energy</b>	
Incorporate green building practices and design elements.	<i>Substantially Consistent with Mitigation.</i> The proposed project would be required to comply with the California 2010 Green Building Standards. In addition, implementation of Mitigation Measure AQ-7 would include additional requirements that are anticipated to further reduce energy demand associated with onsite structures. Such measures include energy efficient lighting, heating and cooling systems, appliances, and control systems.
Meet recognized green building and energy efficiency benchmarks.	
Install energy efficient lighting (e.g., light emitting diodes (LEDs)), heating and cooling systems, appliances, equipment, and control systems.	
Install efficient lighting, (including LEDs) for traffic, street and other outdoor lighting.	
Use passive solar design, e.g., orient buildings and incorporate landscaping to maximize passive solar heating during cool seasons, minimize solar heat gain during hot seasons, and enhance natural ventilation. Design buildings to take advantage of sunlight.	<i>Substantially Consistent with Mitigation.</i> Implementation of Mitigation Measure AQ-7 would require use of passive solar design features.
Install light colored “cool” roofs and cool pavements.	<i>Partially Consistent with Mitigation.</i> Implementation of Mitigation Measure AQ-7 would require the proposed project to incorporate cool pavements.
<b>Water Conservation and Efficiency</b>	
Incorporate water-reducing features into building and landscape design	<i>Substantially Consistent with Mitigation.</i> Implementation of Mitigation Measure AQ-7 would require installation of water-reducing features and water-efficient landscapes and use of water-efficient irrigation methods.
Create water-efficient landscapes.	
Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls, and use water-efficient irrigation methods.	
Devise a comprehensive water conservation strategy appropriate for the project and location.	
Design buildings to be water efficient. Install water-efficient fixtures and appliances.	



**Table 20**  
**Office of the California Attorney General**  
**Methods to Offset or Reduce Global Warming Impacts**  
**Applicable to the Proposed Project**

Emission-Reduction Method	Project Consistency
Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.	
Solid Waste Measures	
Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).	<i>Substantially Consistent with Mitigation.</i> Implementation of Mitigation Measure AQ-1,m would require reuse and recycling of construction waste to the maximum extent feasible.
Land Use Measures	
Incorporate public transit into project design.	<i>Partially Consistent with Mitigation.</i> The proposed project site is not serviced by public transit. The proposed Traffic Demand Management Program includes a shuttle bus service that would provide transportation to onsite events from the City of Paso Robles.
Preserve and create open space and parks. Preserve existing trees, and plant replacement trees at a set ratio.	<i>Partially Consistent with Mitigation.</i> In accordance with Mitigation Measure 7 the proposed project would preserve, to the extent practical, existing trees. Landscaping would be included in the project design.
Transportation and Motor Vehicles	
Create a ridesharing program. Promote existing ride sharing programs, e.g., by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles, and providing a web site or message board for coordinating rides.	<i>Substantially Consistent with Mitigation.</i> Implementation of Mitigation Measure AQ-2,b would require Horse Park operators to encourage event attendees to utilize alternative means of transportation and car/van pooling.
<i>Source: CAGO 2010.</i>	

## Biological Resources Mitigation Measures

### Oak Tree Mitigations

- BR-1.** Tree protection measures shall be in place prior to issuance of a grading/construction permits.
- BR-2.** Oak Tree Protection fencing shall consist of a minimum 4-foot high chain link, snow or safety fence, staked at the Critical Root Zone, or at the line of encroachment to the CRZ as instructed by the Project Arborist. Prior to the issuance of a grading permit, the Project Arborist shall inspect the location of the fencing to insure adequacy of the installation and placement.
- BR-3.** All existing trees shall remain unless otherwise noted.
- BR-4.** Low branches in danger of being torn from trees shall be pruned prior to the start of any heavy equipment work.
- BR-5.** Any roots 2-inches or greater in diameter that are encountered during excavation shall be clean cut by hand and sealed with an approved seal, under the Arborists supervision.
- BR-6.** Vehicles and stockpiled material shall be stored outside the critical root zone of the trees.
- BR-7.** Any trenches under the critical root zone of the native trees shall be dug by hand to avoid any large roots.
- BR-8.** The Arborists shall be on-site to observe any excavation within the Critical Root Zone of any oak tree.

### *Common Wildlife Mitigations*

#### *Nesting Birds*

- BR-9.** Within one week of ground disturbance activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. 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. A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the Project site and nest locations shall be included with the report. The Project biologist conducting the survey shall have authority to reduce or increase the recommended buffer depending upon site conditions.

#### *Burrowing Owls*

- BR-10.** Occupied burrows or nests of special status bird species shall be mapped using GPS or survey equipment. Work shall not be allowed within the 100 foot buffer while the nest is in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.
- BR-11.** Occupied burrows or 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.

### *Golden Eagle*

**BR-12.** Prior to the start of work between March 15 and August 15 (nesting season) on the storm water basin, or other work closer than 660 from a known eagle nest, a biologist shall confirm use of the previously documented golden eagle nest. A no-work buffer of at least 660 feet from an active eagle nest shall be observed until young have fledged (USFWS 2007; bald eagle guidelines). Following construction of the storm water basin, activities are not anticipated to disturb the area within 660 of the nest, so ongoing mitigation measures are not required.

### *Silvery Legless Lizard*

**BR-13.** Pre-construction surveys for silvery legless lizard shall be conducted, as applicable, prior to primary grubbing and other construction activities that affect previously undisturbed habitat under oak canopy. The surveys shall be conducted within three weeks of the start of work. If no special status species are found, construction activities may begin immediately. If a silvery legless lizard is found, a qualified biologist shall move them to the nearest safe location. Additional monitoring may be required if the project biologist determines that special status species could move onto the project site during construction, or be forced out of underground burrows during grading. The project biologist shall have the authority to stop work if special status species are found in the project areas during construction.

### *American Badger*

**BR-14.** A pre-construction survey shall be conducted within 30 days of beginning construction work on a portion of the Project site to identify if badgers are present. The results of the survey shall be sent to the Project manager and lead agency.

If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover all Project areas included in the respective construction phase, 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 between February and July, nursing young may be present. To avoid disturbance and the possibility of direct loss 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 1 and July 1. Between July 1 and February 1 all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are active 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 Project site during the pre-construction survey, and are not raising young, they may be encouraged to vacate the den by a qualified biologist. If measures such as partially blocking den entrances do not result in the badger moving, badgers may be live trapped and moved to save locations.

## *San Joaquin Kit Fox*

**BR-15.** Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information below) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of **79 (39.5 disturbed area x2)** acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County.

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

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

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total **\$197,500**. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase **79** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total **\$197,500**. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of

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

**BR-16. Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:

- i. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- ii. **The qualified biologist shall conduct weekly site visits during site-disturbance activities** (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-19 through BR-26. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-19iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.
- iii. **Prior to or during project activities**, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFG for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work.

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

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

1. **Within 30 days prior to initiation of site disturbance and/or construction**, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
  - Potential kit fox den: 50 feet
  - Known or active kit fox den: 100 feet

- Kit fox pupping den: 150 feet
- 2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
- 3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring by a qualified biologist shall be required during ground disturbing activities.

**Monitoring:** Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the City Planning Division.

### Transportation/Circulation

- T-1 As recommended in the traffic study, the applicant shall arrange to avoid impact on peak hour traffic at the intersection of Highway 46E and Airport Road until such time as the City has established an alternate route.
- T-2 The applicant shall pay transportation impact fees established by City Council in affect at the time of occupancy.