RESOLUTION PC 17-029

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

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

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

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

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

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

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

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

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

WHEREAS, a public hearing was conducted by the Planning Commission on June 13, 2017 to consider the Initial Study and the draft MND prepared for the proposed project, and to accept public testimony on the Planned

Development, Conditional Use Permit, and environmental determination, at the close of this public hearing, the Planning Commission adopted the MND and approved the proposed project; and

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

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

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission of the City of El Paso de Robles, based on its independent judgment and analysis, adopts the Mitigated Negative Declaration (Exhibit A) for the Case Paso project and adopts a Mitigation Monitoring and Reporting Program (Exhibit B), and imposes each mitigation measure as a condition of approval, in accordance with the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA.

PASSED AND ADOPTED THIS 13th day of June, 2017, by the following roll call vote:

AYES:

Commissioners Rollins, Jorgensen, Agredano, Brennan and Chairman Donaldson

NOES:

ABSENT:

Commissioners Barth and Davis

ABSTAIN:

JOHN DONALDSON, CHAIRPERSON

ATTEST:

WARREN FRACE, SECRETARY OF THE PLANNING COMMISSION

Exhibits:

- A. Exhibit A Mitigated Negative Declaration / Initial Study (refer to Attachment 3 of the Planning Commission staff report)
- B. Exhibit B Mitigation Monitoring and Reporting Program

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

1. PROJECT TITLE: Conditional Use Permit (CUP) 17-004 and

Planned Development PD 16-002

Concurrent Entitlements:

2. LEAD AGENCY: City of Paso Robles

1000 Spring Street

Paso Robles, CA 93446

Contact: Darren Nash, Associate Planner

Phone: (805) 237-3970

3. PROJECT LOCATION: 2121 Ardmore Road, Paso Robles, CA (APN:

025-362-008)

4. PROJECT PROPONENT: Case Paso, LLC

Contact Person: Stan Case

Phone: (805) 237-2475

Email: stancase2@gmail.com

5. GENERAL PLAN DESIGNATION: CS (Commercial Service)

6. ZONING: C3-PD (Commercial- Light Industrial, Planned

Development Overlay)

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

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

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

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

	Aesthetics		Agriculture and Forestry Resources		Air Quality
\boxtimes	Biological Resources		Cultural Resources		Geology/Soils
	Greenhouse Gas Emissions		Hazards & Hazardous Materials		Hydrology / Water Quality
	Land Use / Planning		Mineral Resources		Noise
	Population / Housing		Public Services		Recreation
	Transportation/Traffic		Utilities / Service Systems		Mandatory Findings of Significance
	RMINATION: (To be conbasis of this initial evaluation	•	by the Lead Agency)		
	I find that the proposed page 1 a NEGATIVE DECLAR		COULD NOT have a signification will be prepared.	nt effe	ect on the environment, and
	there will not be a signif	icant eff the proj	project could have a significated in this case because revision ect proponent. A MITIGATE ed.	ons in	the project have been
	I find that the proposed pENVIRONMENTAL IN	-	AAY have a significant effect REPORT is required.	on the	environment, and an
	significant unless mitiga adequately analyzed in a been addressed by mitiga	ted" imp n earlien ation m ENTAL	MAY have a "potentially significant on the environment, but a document pursuant to applicate easures based on the earlier and IMPACT REPORT is required.	t least able le aalysis	one effect 1) has been gal standards, and 2) has as described on attached
	because all potentially si	gnifican	project could have a significant effects (a) have been analyzed pursuant to applicable stand	ed ade	quately in an earlier EIR

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. A	AESTHETICS: Would the project:				
a.	Have a substantial adverse effect on a scenic vista?				\boxtimes
	Discussion: The site is located in an area of area of the City that is zoned for commadjacent industrial uses such as the Case Paso Robles School District bus mainter surrounding properties consist of existin located on a scenic vista and does not inclinate.	mercial and lig Pacific constru- nance yard is a g residential o	ht-industrial use ction office and djacent to the s n C3 zoned lar	es (C3). There outdoor storage site to the west and. The project	is existing e yard. The . The other site is not
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				
	Discussion: The project site does not incluan oak tree located on site that will be pro-			here is no impa	act. There is
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?				
	Discussion: This site is zoned C3-PD, and required. In addition to the PD require conditional use permit to be processed. Trequired to give the Planning Commission quality development is approved in this are residential uses/zones, through the PD/G aesthetics of the project and to reduce imp	ement, Section The overlay zo on the opportun area of the City CUP process,	n 21.13 of the ning along with ity to review late. Since this C3-conditions can	Zoning Code the special country and use proposa PD area is in pube added to i	requires a onditions, is als to insure proximity to
	The proposed retaining walls along with from 10 feet to 16-feet tall. These tal surrounding areas, such looking south fro yards to be thoroughly screened with screen	l walls/fencing m Union Road.	g will be able. The zoning coo	to be seen fr	om various
	With conditions for screened fencing ar outdoor storage area will be screened. The significant.				

		Potentially Significant Impact	Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact			
d.	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources: 1, 2, 10)			\boxtimes				
	Discussion: Standard conditions require that all new requires Staff to review light fixtures for p							
res La	II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:							
a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?							
	Discussion: The project site is designated in commercial development. The property is r (Figure OS-1, Important Farmland) as having Therefore, the project would not result in impuses.	not identified in ng either prime	the City General or unique farmla	Plan, Conserva	tion Element importance.			
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				\boxtimes			
	Discussion: The site is not under Williamson A	Act contract, nor	is it currently use	d for agricultural	purposes.			
c.	Conflict with existing zoning for, or cause rezoning of, forest, land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 5114(g))?				\boxtimes			
	Discussion: There are no forest land or timber	land resources w	ithin the City of P	aso Robles.				

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d.	Result in the loss of forest land or conversion of forest land to non-forest use?				
	Discussion: See II c. above.				
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				
	Discussion: No farmland is located within the northwest, west, and south of the property are are also zoned C3 and are intended to be deve site for future development would not have a second control of the control of	zoned commerci loped with comm	al. The properties nercial and light-ir	that surround the dustrial uses. Gr	e subject site rading of the
qua	A. AIR QUALITY: Where available, the significant ality management or air pollution control diterminations. Would the project:	-			
a.	Conflict with or obstruct implementation of the applicable air quality plan? (Source: Attachment 5)				
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 11)				
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: Attachment 4)				

			Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(d.	Expose sensitive receptors to substantial pollutant concentrations?			\boxtimes	
		(Source: Attachment 4)	Ш	Ш		Ш
		Discussion (a-d):				
		The San Luis Obispo County area is a non suspended particulate matter. The SLO Coa permit system to ensure that stationary so cause local and state standards to be exceed create adverse air quality impacts falls geninpacts.	ounty Air Pollu ources do not c ded. The pot	ntion Control Distollectively created ential for future p	strict (APCD) a e emissions wh project develop	dministers ich would ment to
		Short term impacts are associated with the earth work generates dust, but the impact of are related to the ongoing operational charvehicular trip generation and the level of o	ends when consacteristics of a	struction is comp project and are g	olete. Long terr generally relate	n impacts d to
		There will be short term impacts associate conditions required by the City as well as		• •		standard
		When reviewing the grading of the 4-acre acres, it falls under the 4-acre threshold de Handbook (April 2012), indicating that the is less than the 2.5 ton PM 10 quarterly the grading project, are considered less that conditions related to dust control will be project.	escribed in foo e pollutants pro reshold. Theref n significant a	otnote 2 of Table oduced as a result or impacts to a and no mitigation	e 2-1 of the AI It of construction ir quality as a roon is required.	PCD CEQA on activities esult of this Standard
(e.	Create objectionable odors affecting a substantial number of people? (Source: 11) Discussion: It is not anticipated that ther	e will be any	objection odors	as a result of	∑ the grading
		project.	c will be ally	objection odors	us a result of	ine grading

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

IV	. BIOLOGICAL RESOURCES: Would the	project:			
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
	A Biological Report was prepared by Althous dated August 29, 2016 (See Attachment 4). T for biological resources. The Biological Stude potential impacts to special status plant and w provides a list of Best Management Practices Burrowing Owl, American Badger, Nesting I	The survey st y concludes wildlife speci to reduce po	udied an approx that mitigation es during gradi otential impacts	ximate 5.3 acre is necessary to ng activities. The to Shining Nav	study area minimize he study
	The mitigation measures are listed in the Mittothis Initial Study. With the incorporation o Biological Resources will be less than significant to the mitigation of the mitiga	f the mitigat			
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?			\boxtimes	
	The Biological Study concludes that mitigation area, but does not indicate that the site contain mitigation required in Section C. below for the sensitive habitats are less than significant.	ns riparian h	abitat or sensiti	ve natural com	munity. See
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				

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

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

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

d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
	The project site is located within an area tha Jouquin Kit Fox. The area is within an estab and the California Department of Fish and Varea will be disturbed for the storage yard profox habitat area and is required to be mitigated.	lished 3:1 m Wildlife. The oject. The di	itigation area rec Biological Reposturbed area wil	cognized by the ort indicates the	County at a 4.1 acre
	The mitigation measures are listed in the Mi to this Initial Study. With the incorporation of Fox habitat, will be less than significant.	•	•	•	
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			\boxtimes	
	There is a large oak tree located at the front	of the proper	ty near Ardmore	e Road. The pro	oject has

been designed so that there is no grading activity within the oak tree critical root zone, therefore,

impacts to oaks are less than significant.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact		
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?						
	(Source:)						
	Discussion (a-f):						
	A Biological Report was prepared by Althdated August 29, 2016 (See Attachment 3 for biological resources. The Biological Septential impacts to special status plant an provides a list of Best Management Practi Burrowing Owl, American Badger, Nesting). The survey stated that the survey stated to conclude and wildlife specious to reduce possess to reduce possess to reduce possess.	tudied an approx that mitigation it ies during gradinotential impacts	simate 5.3 acre s is necessary to mag activities. The to Shining Nava	study area ninimize e study		
	The mitigation measures are listed in the M to this Initial Study. With the incorporatio Biological Resources will be less than sign	n of the mitigat					
V.	CULTURAL RESOURCES: Would the	project:					
a.	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				\boxtimes		
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?						
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?						
d.	Disturb any human remains, including those interred outside of formal cemeteries?				\boxtimes		
	Discussion (a-d): The project site is located in an area that is not adjacent to a creek or stream, or in an area that typically considered culturally significant. A condition will be added to the project that would require that an archeological monitor be on site if cultural resources are found during grading activities.						

Potentially Significant Impact

Less Than
Significant
with
Mitigation
Incorporated

Less Than Significant Impact No Impact

a.	sul	spose people or structures to potential abstantial adverse effects, including the sk of loss, injury, or death involving:		
	i.	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (Sources: 1, 2, & 3)		
		Discussion: The potential for and mitigathe project area are identified and address	•	

VI. GEOLOGY AND SOILS: Would the project:

Discussion: The potential for and mitigation of impacts that may result from fault rupture in the project area are identified and addressed in the General Plan EIR, pg. 4.5-8. There are two known fault zones on either side of the Salinas Rivers valley. The Rinconada Fault system runs on the west side of the valley, and grazes the City on its western boundary. The San Andreas Fault is on the east side of the valley and is situated about 30 miles east of Paso Robles. The City of Paso Robles recognizes these geologic influences in the application of the California Building Code (CBC) to all new development within the City. Review of available information and examinations indicate that neither of these faults is active with respect to ground rupture in Paso Robles. Soils and geotechnical reports and structural engineering in accordance with local seismic influences would be applied in conjunction with any new development proposal. Based on standard conditions of approval, the potential for fault rupture and exposure of persons or property to seismic hazards is not considered significant. There are no Alquist-Priolo Earthquake Fault Zones within City limits.

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

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

			Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
	iii.	Seismic-related ground failure, including liquefaction? (Sources: 1, 2 & 3)			\boxtimes	
		Discussion: Per the General Plan EIR, that have a low potential for liquefaction and soil conditions. To implement the impact, the City has a standard condition which include site-specific analysis of construction, and incorporation of the project.	on or other type EIR's mitigation to require so liquefaction po	e of ground failu ion measures to ubmittal of soils otential for all bu	are due to seism reduce this pote and geotechnic ailding permits	ential eal reports, for new
	iv.	Landslides?			\boxtimes	
		Discussion: Per the General Plan Safe a low-risk area for landslides. Therefore significant.				
b.		sult in substantial soil erosion or the s of topsoil? (Sources: 1, 2, & 3)				
	suc issu and ens	scussion: Per the General Plan EIR the ch, no significant impacts are anticipated annee of grading permit that will evalual retaining walls proposed. This study ware that potential impacts due to soil staured to be approved by the City Engine	d. A geotechni te the site spec will determine ability will not	cal/ soils analysi ific soil stability the necessary gra occur. An erosi	is will be requir and suitability ading technique on control plan	red prior to of grading es that will
c.	is u uns pot land	located on a geologic unit or soil that instable, or that would become stable as a result of the project, and entially result in on- or off-site dslide, lateral spreading, subsidence, defaction or collapse?				
	Dis	scussion: See response to item a.iii, abo	ove.			
d.	in T Bui	located on expansive soil, as defined Table 18-1-B of the California ilding Code, creating substantial risks ife or property?				
	Dis	scussion: See response to item a.iii, abo	ove.			

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact				
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?								
_	Discussion (a-d): The development will be therefore there would not be impacts related			ipal wastewater	r system,				
VI	I. GREENHOUSE GAS EMISSIONS:	Would the pro-	ject:						
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?								
b.	Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gasses?								
	Discussion (a-b):								
	When reviewing the grading of the 4-acre site with the APCD CEQA Handbook (April 2012), the project would produce less than the 25 lbs/day of ROG+NOx and therefore be considered less than significant and no mitigation is required for operational or long-term impacts based on outdoor storage land use. Standard conditions related to dust control will be required with the issuance of a grading permit for this project.								
VI	II. HAZARDS AND HAZARDOUS MAT	ΓERIALS: W	ould the project:						
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?								
	Discussion: The grading project and opera	tion of equipm	ent storage on th	ne site will not i	nclude				

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				
	Discussion: The grading project and opera hazardous materials.	ution of equipm	ent storage on th	ne site will not i	nclude
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				\boxtimes
	Discussion: The grading project and opera hazardous materials.	ution of equipm	ent storage on th	ne site will not i	nclude
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				
	Discussion: The undeveloped site is not a	nticipated to co	ontain hazardous	waste material	s on site.
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				
	Discussion: (e & f) The project site is n	ot loosted with	in an airnart safa	tu zono	

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				
	Discussion: The project will not impair or plans.	r interfere with	adopted emerge	ency response ro	outes or
h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				
	Discussion: The project is not in the vicin	nity of wildland	fire hazard area	ıs.	
IX	. HYDROLOGY AND WATER QUALI	TY: Would the	e project:		
a.	Violate any water quality standards or waste discharge requirements?				
	Discussion: The project is proposed to be all-weather type material such as Class II permeable. This project is not anticipated	base, or decom	posed granite, w	hich will remai	n
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., Would the production rate of pre-existing nearby wells drop to a level which would not support existing land uses or planned uses for which permits have been granted)? Would decreased rainfall infiltration or groundwater recharge reduce stream baseflow? (Source: 7)				
	Discussion: The project consists of grad	ing 2.85 area t	o establish a 4-	acre area to pro	ovide for an

impact to this environmental factor.

outdoor storage lot. No structures are proposed with this outdoor storage request. There will be no

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 10)				
	Discussion: As noted in the Biological sean existing drainage swale that transverse situation, however the swale is not ident substantial erosion or siltation on or off situation.	s the site. Mit ified as a stre	igation was iden	tified related to	o a wetland
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 10)				
	Discussion: See IX c. above. Drainag maintained onsite and will not contribute the project are considered less than signific	to flooding on	_		-
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 10)				
	Discussion: As noted in IX a. above, surfoffsite drainage facilities. Additionally, pollutants before they enter the groundwarfrom this project would be less than significant	onsite LID dr ater basin. Tl	ainage facilities	will be design	ed to clean
f.	Otherwise substantially degrade water quality?				
	Discussion: See answers IX a. $-e$. This propulation quality.	oject will resu	lt in less than sig	nificant impact	s to water

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact			
g.	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?							
	Discussion: There is no housing associated with this project nor is there any housing in the near vicinity downstream from the site and the site is not within or near a flood hazard area. Therefore this project could not result in flood related impacts to housing.							
h.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				\boxtimes			
	Discussion: See IX h. above.							
i.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?							
	Discussion: See IX h. above. Additionall	y, there are no	levees or dams i	n the City.				
j.	Inundation by mudflow?				\boxtimes			
	Discussion: In accordance with the Paso I on or near the project site. Therefore, the							
k.	Conflict with any Best Management Practices found within the City's Storm Water Management Plan?				\boxtimes			
	Discussion: The project will impleme Management Practices, and would therefo				Plan - Best			
1.	Substantially decrease or degrade watershed storage of runoff, wetlands, riparian areas, aquatic habitat, or associated buffer zones?				\boxtimes			

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

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

X.	X. LAND USE AND PLANNING: Would the project:									
a.	Physically divide an established community?									
	Discussion: The project consists of grad an outdoor storage lot. No structures are no impact to this environmental factor.									
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	ıl 🗌								
	Discussion: The property is zoned C-3 (Commercial – Light Industrial). The C3 zoning district allows outdoor storage of vehicles and equipment as the primary use with the approval of a Conditional Use Permit (CUP). A CUP is being processed as part of this project which will establish conditions of approval for the use, therefore there impacts on land use and zoning is less than significant.									
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?	, 🗆								
	Discussion (c): There are no conservation	on plans associated	d with this prop	perty.						

Potentially Significant Significant Significant Impact Impact with **Impact** Mitigation **Incorporated** XI. MINERAL RESOURCES: Would the project: a. Result in the loss of availability of a known mineral resource that would be of \boxtimes value to the region and the residents of the state? (Source: 1) Discussion: There are no known mineral resources at this project site. b. Result in the loss of availability of a locally-important mineral resource \boxtimes recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1) Discussion: There are no known mineral resources at this project site. XII. NOISE: Would the project result in: a. Exposure of persons to or generation of noise levels in excess of standards \boxtimes established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1) Discussion: The project consists of grading an approximate 4-acre area to provide for an outdoor storage lot. No structures are proposed with this outdoor storage request. There will be no impact to this environmental factor. b. Exposure of persons to or generation of \boxtimes excessive groundborne vibration or groundborne noise levels? Discussion: The project may result in short term construction noise and vibration from machinery, however, the construction noise is not anticipated to be excessive nor operate in evening hours. Therefore, impacts from groundborne vibration noise would be considered less than significant. c. A substantial permanent increase in ambient noise levels in the project \boxtimes vicinity above levels existing without the project? Discussion: See discussion on Section a. above.

Less Than

Less Than

No

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				
	Discussion: See discussion on Section a. a	bove.			
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1, 4)				
	Discussion: The project is not located wi Plan, therefore there is no impact.	thin the geogra	phic boundaries	of the Airport I	Land Use
VI	H DODIH ATION AND HOUSING, WA	ould the project			
a.	II. POPULATION AND HOUSING: Wo Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1)				
b.	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				
c.	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				\boxtimes
	Discussion (a-c): The project site is currer absorbed by the local and regional employ housing or population growth or displace l	ment market, a	and will not creat		

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

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)			\boxtimes				
b.	Police protection? (Sources: 1,10)				\boxtimes			
c.	Schools?							
d.	Parks?							
e.	Other public facilities? (Sources: 1,10)							
	Discussion (a-e): The proposed project will not result in a significant demand for additional new services since it is not proposing to include new neighborhoods or a significantly large scale development, and the incremental impacts to services can be mitigated through payment of development impact fees. Therefore, impacts that may result from this project on public services are considered less than significant.							
XV	V. RECREATION							
a.	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?							
b.	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				\boxtimes			

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

Discussion (a&b):

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

ΧV	I. TRANSPORTATION/TRAFFIC: Would	the project:					
a.	Conflict with an applicable plan, ordinance or policy establishing measures or effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?						
b.	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?						
	Discussion (a&b): Based on the project being designations, and based on outdoor storage of traffic generators, the project impacts to traffic	equipment and	vehicles not bei	ng considered			
	As required by all development projects with the approval of a building permit, the applicant shall be required to pay transportation impact fees established by City Council in affect at the time of occupancy to mitigate future impacts with planned improvements by the City.						
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?						
	Discussion: The project is not located within the geographic boundaries of the Airport Land Use Plan, therefore there is no impact.						

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact		
d.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?						
	Discussion: There are no hazardous designathis project.	n features asso	ciated with, plan	aned for or will	result from		
e.	Result in inadequate emergency access?				\boxtimes		
	Discussion: The project will not impede e emergency access safety features and to C				ice with all		
f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?						
	Discussion: The project will comply with Road, including any required curb, gutter,			-			
XV	II. UTILITIES AND SERVICE SYSTEM	MS: Would the	project:				
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?						
	Discussion: The project will comply required by the City, RWQCB and the S wastewater treatment from this project.						
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				\boxtimes		
	Discussion: Per the City's General Plan EIR, Urban Water Management Plan, and Sewer System Management Plan, the City's water and wastewater treatment facilities are adequately sized, including planned facility upgrades, to provide water needed for this project and treat effluent						

resulting from this project. Therefore, this project will not result in the need to construct new

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
	facilities.		-		
c.	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				\boxtimes
	Discussion: All new stormwater resulting the will not enter existing storm water drainage facilities. Therefore, the project will not in	e facilities or r	equire expansion	of new drainag	ge
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				
	Discussion: The outdoor storage yard project of available and will not require expansion of	can be served v	vith existing wat	er resource enti	
e.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?				\boxtimes
	Discussion: Per the City's SSMP The City serve this project as well as existing comm		treatment facility	y has adequate	capacity to
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				
	Discussion: Per the City's Landfill Master accommodate construction related and ope	•			to to
g.	Comply with federal, state, and local statutes and regulations related to solid waste?				
	Discussion: The project will comply with	all federal, stat	te, and local solid	d waste regulati	ons.

Potentially Significant Impact

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact

No Impact

XV	/III. MANDATORY FINDINGS OF SIGNIF	ICANCE			
a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
	Discussion: As noted within this environmental there are mitigation measures related to habitate biological resources to less than significant.				ion,
b.	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				
	Discussion: The project will not have impacts considerable.	that are individ	lually limited, bu	ut cumulativel	у
c.	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				
	Discussion: The project will not cause substantor indirectly.	tial adverse effe	ects on human be	eings, either d	irectly

EARLIER ANALYSIS AND BACKGROUND MATERIALS.

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

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

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

Attachments:

- Mitigation Monitoring and Reporting
 Vicinity Map
 Site Plan
 Biological Study



Mitigation Monitoring and Reporting Plan - Case Pacific Storage Yard

Project File No./Name: Case Pacific Outdoor Storage Yard Approving Resolution No.: by: ☐ Planning Commission ☐ City Council	Date: May 22, 2017
The following environmental mitigation measures were either incorporated into the approved platevery mitigation measure listed below has been found by the approving body indicated above to non-significance. A completed and signed checklist for each mitigation measure indicates that it	lessen the level of environmental impact of the project to a level of
Explanation of Headings:	
Type:	olumn will be initialed and dated. column will be initialed and dated.

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

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

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

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

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

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

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

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

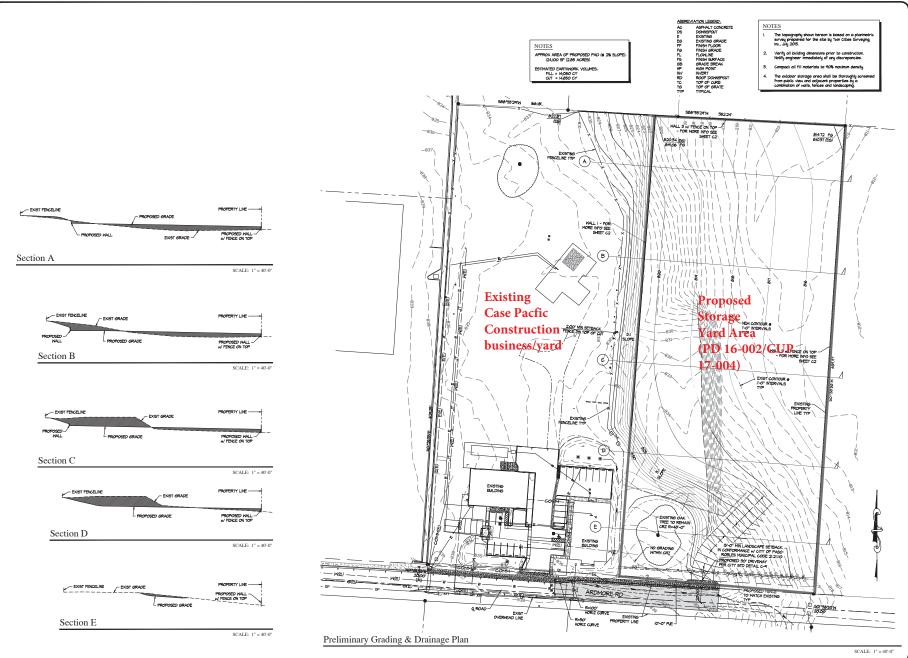
(add additional measures as necessary)

Explanation of Headings:

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

Case Pacific- Vicinity Map







Preliminary Grading & Drainage Plan

Conditional Use Permit



KEV KTD 2014-36 CHECKED BY: PROJECT NO.: SHEET NO

