Paso Robles Gateway Project

Draft Environmental Impact Report

SCH#2013101050
Annexation No. ANX 16-001
Permit No. P17-0090

prepared by
City of Paso Robles
Community Development Department
1000 Spring Street
Paso Robles, California 93446
Contact: Darren Nash, City Planner

prepared with the assistance of
Rincon Consultants, Inc.
1530 Monterey Street, Suite D
San Luis Obispo, California 93401

February 2020

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Environmental Scientists | Planners | Engineers
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Executive Summary

This section summarizes the characteristics and environmental impacts of the proposed Project, the Project alternatives, and required and recommended mitigation measures.

Project Synopsis

Project Applicant

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Project Description

The proposed 170-acre Paso Robles Gateway Project (Annexation Permit No. ANX 16-001 and Planned Development Permit No. PD 17-0090) involves development of the following components or "areas": (1) a Vine Street Vineyard Hotel; (2) a Village Commercial Center, including workforce residential units; (3) a Hillside Premium Destination Resort Hotel; (4) a Promontory Commercial Center; (5a) Highway 46 Resort or (5b) 80 Multi-Family Residences; (6) a Vine Street Commercial Center; and (7) +/- 98 acres of agriculture and open space uses. For the purposes of this EIR, it is assumed that area 5 will be developed with option 5b, with 80 multi-family resort residential units with a resort overlay. The Project includes a request for a Sphere of Influence (SOI) amendment and an annexation from the County of San Luis Obispo into the City of Paso Robles, a Pre-Zoning application, a General Plan amendment, approval of a Master Development Plan, a Lot Line Adjustment (PR/COAL 18-0098), a Vesting Tentative Tract Map (TTM 3120), and approval of a Development Agreement.

EIR Alternatives

The California Environmental Quality Act Guidelines (*State CEQA Guidelines*) state that an "EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives" (Section 15126.6). The *State CEQA Guidelines* state that "the range of alternatives required in an EIR is governed by a rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives,

the EIR need examine in detail only the ones that the Lead Agency determines could feasibly attain most of the basic objectives of the project (Section 15126.6).

In defining feasibility of alternatives, the *State CEQA Guidelines* state that "among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site" (Section 15126.6).

EIRs shall also disclose alternatives that were considered and rejected and provide a brief explanation as to why such alternatives were not fully considered in the EIR. In particular, as required by the *State CEQA Guidelines*, the selection of alternatives included a screening process to determine a reasonable range of alternatives, which could reduce significant effects but also feasibly meet project objectives. Alternatives that do not clearly provide any environmental advantages compared to the project, meet basic project objectives, or achieve overall lead agency policy goals, have been eliminated from further consideration. For the Project, characteristics used to reject alternatives from further consideration include:

- Failure to meet basic Project objectives;
- Limited effectiveness in reducing Project-induced environmental impacts;
- Inconsistency with city policies, including the General Plan;
- Potential for inconsistency with adopted agency plans and policies; and
- Reasonableness of the alternative when compared to other alternatives under consideration.

The following alternative was considered on a preliminary basis, but eliminated from further analysis by the city due to one or more of these factors.

- Alternate Project Site Location

The following three alternatives are evaluated in this EIR:

- Alternative 1: No Project – No Development
- Alternative 2: Rural Residential Development in County Jurisdiction
- Alternative 3: Reduced Development

Section 15126.6(e)(2) of the CEQA Guidelines requires that an analysis of project alternatives identify an environmentally superior alternative among the alternatives evaluated in the EIR. In general, the environmentally superior alternative as defined by CEQA should minimize adverse impacts to the project site and its surrounding environment. In some cases, an alternative will avoid one or more impacts identified for a project but introduce other new significant impacts. Therefore, selection of the environmentally superior alternative requires an overall assessment of the changes in the number and type of significant impacts.

The No Project – No Development alternative (Alternative 1) would result in the fewest environmental effects in comparison to the Project, including reduced impacts to multiple environmental resources, including air quality, greenhouse gas (GHG) emissions, and transportation/traffic.

The Rural Residential Development in County Jurisdiction alternative (Alternative 2) would reduce the VMT and associated air contaminant emissions, as well as GHG emissions in comparison to the Project. Impacts for all other issue areas would be the same or less than the proposed Project under

this alternative, due to the reduced amount of site disturbance and reduced amount of vehicle trip generation. The major disadvantage from this alternative relates to the lower intensity of development and the higher uncertainty in funding the realignment of South Vine Street that would be facilitated by the Project. This alternative would eliminate the two significant and unavoidable Air Quality and GHG emissions impacts that would result from the proposed Project, but would result in significant and unavoidable impacts to transportation similar to the Project.

The Reduced Development alternative (Alternative 3) would reduce impacts to air quality, GHG emissions, and traffic would be reduced in comparison to the Project as a result of much lower trip generation than the Project. This alternative would reduce the significant and unavoidable impacts to air quality, GHG emissions, but would result in significant and unavoidable impacts to transportation similar to the Project.

The No Project – No Development alternative (Alternative 1) would result in the fewest adverse environmental effects. However, since this is the "No Project" alternative, CEQA requires that a separate alternative also be identified as the environmentally superior alternative. For this reason, and with consideration of issues related to achieving the Project objectives and to reducing environmental impacts, Alternative 2 is deemed the environmentally superior alternative. While Alternatives 2 and Alternatives 3 would both eliminate the significant and unavoidable air quality and GHG emissions impacts identified for the Project, Alternative 2 would be consistent with the current land use categories and requirements in the County of San Luis Obispo General Plan and Land Use Ordinance. As a result, the site would be developed as currently intended, resulting in fewer potential environmental impacts as a result of proposed land use changes to the site.

Summary of Impacts and Mitigation Measures

Table ES-1 summarizes the identified environmental impacts for each issue area studied in the EIR, required mitigation measures (if any), and the level of significance after mitigation. Table ES-1 organizes the Project-specific impacts by impact level, followed by the cumulative impacts. Class I impacts are defined as significant and unavoidable adverse impacts, which require a statement of overriding considerations to be made per Section 15093 of the State CEQA Guidelines if the Project is approved. Class II impacts are significant, adverse impacts that can be feasibly mitigated to a less than significant level, and which require findings to be made under Section 15091 of the State CEQA Guidelines. Class III impacts are considered less than significant impacts. Potential Project-specific and cumulative impacts are listed below in summary form.

The NOP process and preparation of the EIR determined that there was no substantial evidence that the Project would cause or otherwise result in significant environmental effects in the areas of Mineral Resources and Population/Housing. The substantiation for determining that these issues would result in no impact or a less than significant impact is described in Section 4.16, *Less than Significant Effects*.

Class I – Significant and Unavoidable Impacts

- Clean Air Plan consistency
- Operational air quality emissions
- Cumulative air quality impacts
- Temporary and long-term Increases in GHG emissions
- GHG emissions reduction plan consistency

- Cumulative GHG emissions impacts
- Existing + Project traffic impacts at U.S. 101/Main Street interchange
- General Plan Buildout + Project traffic impacts to U.S. 101 mainline

Class II – Significant Impacts that Can Be Mitigated to Less than Significant Levels

- Scenic vistas and scenic resources
- Visual character
- Light and glare
- Cumulative impacts to scenic vistas and scenic resources
- Cumulative impacts to visual character
- Cumulative impacts to visual resources
- Cumulative impacts to light and glare
- Conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses
- Conversion of farmland to non-agricultural use
- Conflict with existing zoning for forest land or timberland
- Loss of forest land or conversion of forest land to non-forest use
- Cumulative impacts due to conversion of farmland to non-agricultural use
- Cumulative impacts to agricultural resources
- Construction air quality emissions
- Exposure of sensitive receptors to Coccidioides fungus
- Impacts to riparian areas
- Special status wildlife species
- Special status plant species
- Wetlands
- Protected trees
- Cumulative impacts to biological resources
- Historical Resources
- Archaeological Resources
- Tribal cultural resources
- Cumulative impacts to Cultural Resources
- Climate Action Plan consistency for energy efficiency
- Cumulative energy impacts
- Seismic and geologic hazards
- Located on a geologic unit or soil that is unstable
- Soil erosion and loss of topsoil
- Expansive soils
- Paleontological resources
- Cumulative impacts to Geology and Soils

- Routine transport, use, or disposal of hazardous materials
- Accidental release of hazardous materials
- Located on a site included on a list of hazardous materials sites
- Residual pesticides and agricultural chemicals hazards
- Construction impacts to water quality
- Operational impacts to water quality
- Operational noise
- Long-term traffic noise
- Construction noise
- Groundborne vibration
- Cumulative noise impacts
- Wastewater treatment facilities and capacity

Class III – Less than Significant Impacts

- Conflict with existing zoning for agricultural use or a Williamson Act contract
- Exposure of sensitive receptors to substantial pollutant concentrations
- Odor emissions
- Wildlife movement
- Conflict with a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan
- Disturbance of human remains
- Consumption of energy resources
- Septic tanks or alternative wastewater systems impacts to soils
- Cumulative geologic hazards
- Implementation of emergency response/evacuation plans
- Wildland fire hazards
- Hazardous materials or emissions with 0.25 mile of a school.
- Cumulative impacts related to hazardous materials
- Airport hazards
- Alteration of existing drainage patterns
- Flood hazards and pollution as a result of flooding
- Flooding as a result of levee or dam failure, or inundation by mudflow, tsunami, or seiche
- Cumulative impacts to hydrology and water quality
- Physically dividing an established community
- Consistency with applicable land use plans, policies, and regulations
- Cumulative impacts related to consistency with applicable land use plans, policies, or regulations
- Cumulative land use impacts
- Airport noise
- Fire protection services and facilities

- Police protection services and facilities
- Public schools
- Library services
- Cumulative impacts to public services
- Parks and recreational facilities
- Roadway segment operations
- Multi-modal circulation
- Traffic safety hazards
- Emergency access
- Water conveyance or treatment
- Storm water drainage facilities
- Electric power, natural gas, and telecommunications facilities
- Water supply
- Solid waste services and facilities
- Cumulative impacts to utilities and service systems

Table ES-1 Summary of Potentially Significant Environmental Impacts, Mitigation Measures and Significance After Mitigation

Impact	Mitigation Measure (s)	Significance After Mitigation
Class I Impacts (Significant and Unavoidable)		
Air Quality		
Impact AQ-1. The Project would not be consistent with the VMT assumptions and does not incorporate all applicable land use strategies and transportation control measures contained in the SLOAPCD 2001 CAP resulting in Project inconsistency with the 2001 CAP. This impact would be Class I, significant and unavoidable.	**AQ-1** Alternative Transportation and Transportation Demand Management Measures Prior to issuance of grading permits, the applicant shall include applicable VMT-reducing measures from the SLOAPCD *CEQA Air Quality Handbook* on Project plans. Consistent with SLOAPCD guidance, VMT-reducing measures shall include, but would not be limited to: a. Expand San Luis Obispo County Regional Transit Authority Paso Express Routes with new stops on the Project site or along South Vine Street to ensure the Project site is within ¼ mile of a transit stop. b. Provide public transit amenities (e.g., covered transit turnouts, direct pedestrian access, bicycle racks, covered bench, smart signage, route information displays, lighting, etc.) on the Project site or along South Vine Street to facilitate expansion of Paso Express Routes prior to building permit issuance. c. Develop an educational program with San Luis Obispo Regional Rideshare to provide occupants of non-residential uses with alternative transportation and smart commute information (e.g., transportation board, electronic kiosk, new hire packets, web portal, newsletters, social media, etc.). d. Implement programs to reduce employee vehicle miles traveled at non-residential uses (e.g., incentives; SLO Regional Rideshare trip reduction program; bicycle share programs; shuttles/vanpools; on-site employee lockers, showers, housing; alternative employee schedules 9e.g., 9–80s or 4–10s work schedules, telecommuting, satellite worksites, etc.). e. Implement circulation design elements in parking lots for non-residential uses to reduce vehicle queuing and improve the pedestrian environment. f. Exceed CalGreen standards for providing on-site bicycle parking at non-residential uses by 25 percent. **Plan Requirements and Timing.** The project applicant shall incorporate Alternative Transportation and Transportation Demand Management Measures into Project plans. Developers of projects on the Project site shall incorporate applicable transportation demand measures into project plans and submit documentation to the city that employers in non-residential components of the Project have either implemented trip reduction measures or provided proof that applicable measures are infeasible. **Monitoring.** The city shall verify that Alternative Transportation and Transportation Demand Management Measures have been incorporated into Project plans and that applicable improvements are included in developments on the Project site prior to issuance of occupancy permits. The city shall verify that public transit amenities have been installed prior to the issuance of the first occupancy permit. The city shall verify that on-site circulation design elements in parking lots and required on-site bicycle parking have been installed prior to the issuance of occupancy permits for non-residential uses.	Implementation of Mitigation Measures AQ-1, T-1, and T-5 would require the incorporation of alternative transportation facilities, the promotion of alternative work schedules, the payment of fair share fees for public transit improvements, and fair share contribution to the construction of circulation system improvements, all of which would address potential inconsistencies with the 2001 CAP transportation control measures and land use strategies. However, due to the nature of the Project as a visitor serving, resort destination it is anticipated that the Project's percent increase in total VMT would still exceed the Project's contribution to population growth despite implementation of the alternative transportation and transportation demand management measures required by Mitigation Measure AQ-1 and the payment of fair

Impact	Mitigation Measure (s)	Significance After Mitigation
		share fees toward the construction of circulation system improvements required by Mitigation Measures T-1 and T-5. Therefore, impacts related to consistency with the assumptions for VMT in the 2001 CAP would be significant and unavoidable.
Impact AQ-3. Operation of the Project would generate long-term operational air pollutant emissions that would exceed SLOAPCD daily emissions thresholds for ROG + NO_X and Fugitive PM_{10}. Implementation of SLOAPCD's standard mitigation measures would reduce emissions to the extent feasible. However, impacts would remain Class I, significant and unavoidable.	Implementation of Mitigation Measure AQ-1 would require implementation of VMT reduction measures for the Project, which would reduce mobile source emissions. In addition, implementation of Mitigation Measure AQ-3 would be required. **AQ-3 Land Use Emission Reduction Measures** Prior to issuance of grading permits, the applicant shall include standard emission reduction measures from the SLOAPCD *CEQA Air Quality Handbook* to reduce ROG, NO_X, DPM, and PM_{10} emissions below SLOAPCD threshold levels on Project plans. Consistent with SLOAPCD guidance, land use emission reduction measures shall include, but would not be limited to: a. Install electric fireplace in place of U.S. EPA certified Tier 2 residential wood-burning appliances. b. Provide shade over 50 percent of parking spaces in parking areas to reduce evaporative emissions from parked vehicles. Shade may be provided by trees, overhangs, shading structures, or other means, as appropriate. c. Reduce fugitive dust from roads and parking areas with the use of paving or other materials. d. Implement driveway design standards (e.g., speed bumps, curved driveway) for self-enforcement of reduced speed limits on unpaved driveways. e. Use a SLOAPCD-approved suppressant on unpaved roads, driveways, and parking areas applied at a rate and frequency that ensures compliance with SLOAPCD Rule 401 (Visible Emissions) and ensures off-site nuisance impacts do not occur. f. Encourage non-residential land uses to provide a childcare facility on-site. g. Meet or exceed applicable building standards at the time of development for building energy efficiency with a goal of achieving zero net energy (ZNE) buildings. h. Meet or exceed applicable building standards at the time of development for utilizing recycled content materials. i. Meet or exceed applicable building standards at the time of development for reducing cement use in the concrete mix as allowed by local ordinance and conditions.	Implementation of the measures identified in Mitigation Measures AQ-1 and AQ-3 would reduce impacts to regional air quality. However, it is unlikely that these measures would reduce operational emissions by over 50 percent such that daily combined ROG + NO_X emissions would be below SLOAPCD's daily significance thresholds for ROG + NO_X. No further feasible mitigation measures are available. Therefore, the Project would result in a long-term increase in criteria pollutants for which the SCCAB is in nonattainment, and long-term operational impacts would be significant and unavoidable.

Impact	Mitigation Measure (s)	Significance After Mitigation
	j. Meet or exceed applicable building at the time of development standards for the use of greywater, rainwater or recycled water. k. Meet or exceed applicable building standards at the time of development for using shading, trees, plants, cool roofs, etc. to reduce the "heat island" effect. l. All built-in appliances shall comply with California Title 20, Appliance Efficiency Regulation. m. Utilize on-site renewable energy systems (e.g., solar, wind, geothermal, biomass, and/or biogas) sufficient to meet or exceed applicable building standards at the time of development with a goal of achieving ZNE buildings. n. Design roof trusses to handle dead weight loads of standard solar-heated water and photovoltaic panels. **Plan Requirements and Timing.** The Project applicant shall submit proof that the Land Use Emission Reduction Measures have been incorporated on Project plans, or proof that implementation of one or more measures is infeasible. **Monitoring.** City shall verify that the Land Use Emission Reduction Measures are included on site and building plans prior to issuance of building permits. A qualified Air Quality Analyst shall confirm that land use emissions reductions can be satisfied with land use emissions reduction measures.	
Greenhouse Gas Emissions		
Impact GHG-1. Construction and operation of the Project would generate temporary and long-term increases in GHG emissions. These emissions would result in a significant contribution to global climate change. This impact would be Class I, significant and unavoidable.	**GHG-1 GHG Emissions Reduction Program** Prior to permit issuance, the developer shall prepare a GHG Emissions Reduction Program that reduces annual GHG emissions from the development by a minimum of approximately 4,847 3,146MT of CO2e per year (5.5 MT of CO2e per person per year) over the operational life of the proposed development. A qualified GHG Analyst shall confirm that GHG emissions reductions can be satisfied with GHG Emissions Reduction Program measures. The plan shall be implemented on-site by the developer and may include, but is not be limited to, components such as: a. Installation of renewable energy facilities; b. Construction of buildings that achieve energy and water efficiencies beyond CCR, Title 24 requirements; c. Implementation of green building practices and/or cool roofs; d. Installation of energy-efficient equipment and appliances exceeding California Green Building Code standards; e. Installation of outdoor water conservation and recycling features, such as smart irrigation controllers and reclaimed water usage; f. Installation of low-flow bathroom and kitchen fixtures and fittings; g. Installation of light emitting diode (LED) lights; h. Implementation of waste reduction programs that may include waste minimization, waste diversion, composting, and material reuse/recycling;	Implementation of Mitigation Measure GHG-1 would reduce GHG emissions from the anticipated on-site development, but would not substantially reduce GHG emissions from mobile sources, which comprise approximately 52 percent of the Project's GHG emissions. Additionally, the city does not currently have a program in place to verify the purchasing of carbon offsets as sufficient means to reduce GHG emissions below threshold levels. As a result, implementation of

Impact	Mitigation Measure (s)	Significance After Mitigation
	i. Provision of incentives and outreach that promote alternative transportation and transit use to future employees and patrons; j. Construction of bicycle and pedestrian-oriented facilities (e.g., bicycle parking spaces); k. Promotion of alternative fuel vehicles, including through the installation of electric vehicle charging infrastructure; or l. Implementation of carbon sequestration measures, such as tree planting; or m. Purchase carbon offsets to reduce GHG emissions below threshold levels. **Plan Requirements and Timing.** The GHG Emissions Reduction Program shall be submitted by the developer and reviewed and approved by City staff. Applicable elements of the approved GHG Emissions Reduction Program shall be reflected on site plans and building permits prior to permit approval. Purchase of carbon offsets shall be approved by City staff prior to permit approval. The purchase of carbon offsets would not subject the Project to California's cap-and-trade program. **Monitoring.** City staff shall verify compliance with this measure prior to the issuance of grading permits and building permits. The qualified GHG Analyst shall confirm GHG emissions reductions achieved with implementation of GHG Emissions Reduction Program measures.	Mitigation Measure GHG-1 would not ensure the Project's annual GHG emissions would not exceed the locally-appropriate, Project-specific 2030 efficiency threshold. Because the Project's emissions may exceed the locally-appropriate, Project-specific 2030 efficiency threshold, lack of verification of effectiveness of carbon offsets to reduce GHG emissions in the city, and no further feasible mitigation measures are available, the Project would impede substantial progress toward meeting the state's 2030 and 2045 GHG reduction goals, and impacts related to GHG emissions would remain significant and unavoidable.
GHG-2. The Project would be inconsistent with the City's Climate Action Plan, 2019 RTP, and the 2017 Scoping Plan. This impact would be Class I, significant and unavoidable.	**GHG-2 Greenhouse Gas Emission Reduction Measures** The developer shall incorporate GHG emission reduction measures into the Project plans that are consistent with the "mandatory" measures identified in the Paso Robles Climate Action Plan (CAP). To the extent possible, "voluntary" measures identified in the city's CAP should also be incorporated. Consistent with the city's CAP, GHG reduction measures shall include, but would not be limited to: a. All public improvement plans and on-site improvement plans shall utilize LED high-efficiency lights for parking lots, streets, trails, and other public areas. (CAP Measure E-5) b. Building permit plans for all commercial buildings shall include only LED high-efficiency lights in parking areas and other exterior spaces. (CAP Measure E-5)	Implementation of Mitigation Measures AQ-1, AQ-3, GHG-1, and GHG-2 would ensure the Project is consistent with the regional GHG reduction measures targets in the city's Climate Action Plan and 2019 RTP. As discussed in Impact GHG-1, the

Impact	Mitigation Measure (s)	Significance After Mitigation
	c. Building permit plans for all commercial, mixed-use resort residential, and hotel development shall include on-site bicycle parking beyond that required by the California Green Building Standards Code (e.g., lockers or a locked room with standard racks and access limited to bicyclists only). (CAP Measure TL-1) d. The Project site's internal circulation network shall minimize barriers to pedestrian access and interconnectivity and shall incorporate traffic calming improvements as appropriate (e.g., marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, median islands, minicircles, tight corner radii, etc.). (CAP Measure TL-2) e. The Project site's internal circulation network shall be designed accommodate a future public transit bus stop, or the Project shall coordinate with the City to provide a future transit stop along South Vine Street. (CAP Measure TL-3) f. Project development shall comply with CALGreen Tier 1 or Tier 2 standards for water efficiency and conservation. (CAP Measure W-1) g. Project plans shall include infrastructure to accommodate recycled water when it becomes available. (CAP Measure W-1). h. The Project shall utilize recycled water to the maximum extent feasible when recycled water becomes available. (CAP Measure W-1) i. Construction activity on the Project site shall divert a minimum of 65 percent of non-hazardous construction or demolition debris. (CAP Measure S-1) j. Electrically powered appliances (e.g., water heaters, clothes dryers, cooking appliances, pool heating systems) shall be used in new development to the extent practicable. Where gas appliances are installed, electrical services shall be provided to accommodate future retrofit to electrical appliances. **Plan Requirements and Timing.** The Project applicant shall incorporate Greenhouse Gas Emission Reduction Measures into Project plans and submit documentation to the city that measures have been implemented or provide proof to the city that equivalent reductions have been achieved through other city-approved emissions reduction practices. **Monitoring.** The Project applicant shall retain a third-party greenhouse gas consultant to provide a statement to the city that verifies that Greenhouse Gas Reduction Measures have been incorporated into the Project prior to issuance of building permits and again prior to issuance of occupancy permits.	Project would be inconsistent with the state's adopted reduction targets contained in the 2017 Scoping Plan and EO B-55-18. Therefore, the Project would be inconsistent with these GHG reduction plans, and this impact would be significant and unavoidable.

Impact	Mitigation Measure (s)	Significance After Mitigation
Transportation/Traffic		
T-1. The Project would add traffic to the U.S. 101/Main Street Interchange, where LOS currently exceeds the County LOS D target. Project impacts on County transportation facilities would be Class I, significant and unavoidable.	**T-1 Fair Share Funding to Templeton Road Improvements Fee Program** The Project Applicant shall contribute an equitable share to the Templeton Road Improvements fee program, in the amount specified for Area C of the Areas of Benefit of the Templeton Traffic Circulation Study, for the six (6) Project-added PM peak hour trips at the U.S. 101/Main Street northbound off-ramp, and the three (3) Project-added PM peak hour trips at the U.S. 101/Main Street southbound off-ramp. **Plan Requirements and Timing.** Proof of payment to the County of San Luis Obispo of the fair share contribution for required improvements shall be submitted prior to final of the first building permit for the Project. **Monitoring.** The city shall ensure compliance prior to final of the first building permit.	The Project would add three trips to the southbound off-ramp and six trips to the northbound off-ramp at the U.S. 101/Main Street interchange under County jurisdiction, which currently operate at LOS E during the PM peak hour and exceed the County LOS D targets for the interchange. Caltrans and the County are working cooperatively to provide improvements to the U.S. 101/Main Street interchange and Mitigation Measure T-1 requires Project contribution to the Templeton Road Improvements fee program, which would reduce impacts to the extent feasible. However, improvements to the U.S. 101/Main Street interchange are in the beginning planning phases and funding and feasibility cannot be guaranteed at this time, and are beyond the control of the City. Therefore, Project impacts to these intersections would be significant and unavoidable.

Impact	Mitigation Measure (s)	Significance After Mitigation
Class I Cumulative Impacts (Significant and Unavoidable)		
Air Quality		
Cumulative impacts on air quality would be significant and unavoidable.	Mitigation Measures AQ-1 and AQ-3 would apply.	Class I (significant and unavoidable)
Greenhouse Gas Emissions		
Cumulative GHG emissions impacts would be significant and unavoidable.	Mitigation Measures GHG-1 and GHG-2 would apply.	Class (significant and unavoidable)
Transportation/Traffic		
T-5. Under General Plan Buildout + Project conditions, U.S. 101 mainline segments and intersection operations would exceed the Caltrans LOS C target. Therefore, the Project's contribution to impacts to deficient General Plan Buildout transportation system conditions would be Class I, significant and unavoidable.	**T-5 General Plan Buildout Transportation Improvements** The Project applicant shall fund improvements to transportation facilities in the Project vicinity prior to issuance of building permits. As described in the Development Agreement for the Project, the Project will secure the right-of-way necessary to facilitate the construction of the South Vine Street realignment and will also contribute to a portion of the cost of the South Vine Street realignment. The Development Agreement further provides that, to the extent the Developer dedicates land, funds or constructs public facilities that exceed the size or capacity required to serve the Property for the benefit of other properties, the Developer may be reimbursed for oversizing as credits against impact fees that the Developer or the Project would otherwise be required to pay for the type of infrastructure that is required to be oversized. Here, the right-of-way contributions identified in the Development Agreement are intended to offset General Plan buildout transportation improvement funding requirements for the Project and will be credited toward such requirements. Any funding paid by the Project applicant, as required by this measure, would not fund U.S. 101 improvements or alternative transportation measures where impacts are identified on U.S. 101 Northbound North of SR 46 West because funding programs are not available for improvements within the Caltrans right-of-way. **Plan Requirements and Timing.** Any funds required of the applicant beyond those credited for securing the South Vine Street right-of-way and contribution to improvements shall be submitted, as agreed upon in the Development Agreement, prior to final of the first building permit. **Monitoring.** The city shall ensure compliance with this measure prior to final of the first building permit.	Development and implementation of final future improvements to the impacted Caltrans intersection and impacted freeway segments would require coordination with and approval from Caltrans. Additionally, South Vine Street improvement contributions by the Project applicant, as required by Mitigation Measure T-5, would not fund U.S. 101 improvements or alternative transportation measures where impacts are identified on U.S. 101 mainline because funding programs are not available for those measures. Because of the lack of feasible mitigation to address this impact and

Impact	Mitigation Measure (s)	Significance After Mitigation
		because of uncertainty associated with timing and implementation, identified impacts to the impacted Caltrans intersection and freeway segments would be significant and unavoidable.
Class II Impacts (Significant but Mitigable)		
Aesthetics and Visual Resources		
Impact AES-1. The Project would change views of scenic resources on the Project site, including oak covered hillsides and riparian corridors, to include urban development, as experienced from an identified Visual Corridor and Gateway to the City along SR 46 West, and eligible state scenic highways. This impact would be Class II, potentially significant but mitigable.	**AES-1 Master Landscape Plan Requirements** A Master Landscape Plan shall be prepared for coordinated design and implementation of landscaping throughout the Project site. The Master Landscape Plan shall indicate specific best practices for landscaping on the Project site, including as landscape buffers between residential/hotel and non-residential development and open space/agricultural areas, plantings that screen outdoor parking areas and residential and non-residential structures, and shielded lighting. The Master Landscape Plan shall be developed in coordination with the requirements in Mitigation Measures BIO-4(a) and BIO-4(b) for the replacement and protection of oak trees on the Project site. a. Retaining/barrier walls and other vertical boundaries shall be in tones compatible with surrounding terrain using textured materials or construction methods which create a textured effect. Walls shall be landscaped to provide screening from adjacent open space areas, visual corridors, and gateways (SR 46 West), using drought-tolerant, low-maintenance, and native species where appropriate. Perimeter landscaping of retention/drainage basins shall consist of low maintenance trees and shrubs. b. Retaining/barrier walls shall be limited to 5 feet in height, measured from the top of grade in front of the wall to the top of the wall cap. Where retaining conditions require walls to be higher than 5 feet, the wall shall be separated into two or more walls with a minimum of 3 feet between each wall for screen planting. c. Landscaping using native oak trees, shrubs, and groundcover shall be preferred to perimeter fencing to the maximum extent feasible. Where required, perimeter fencing shall be decorative and designed to minimize interference with wildlife movement. d. All medians and strips designated for landscaping shall utilize drought-tolerant species to the maximum extent feasible, consisting of low maintenance trees, shrubs, and groundcover that do not obstruct views for motorists, bicyclists, and pedestrians. e. Decorative natural turf is prohibited. f. The extent, height, and quantity of cut and fill shall be minimized to the extent feasible to preserve natural components of the existing landscape, including existing oak trees.	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
	Plan Requirements and Timing. These requirements shall be reflected on the Master Landscape Plan and on subsequent grading and building plans for review by the City prior to issuance of permits or approval or improvement plans that are submitted in conjunction with improvement plans for each development area, public improvement plans, on-site improvement plans, and commercial, hotel and residential plot plans. **Monitoring.** City staff shall verify the submittal of landscape plans with any permits listed above and review all landscape plans for consistency with Project development plans as applicable. Prior to all building permit finals or improvement plans, City staff shall inspect all landscape installations.	
Impact AES-2. The project would alter the character of the Project site from semi-rural agricultural to urbanized. This change in the visual character of the Project site would be Class II, potentially significant but mitigable.	Mitigation Measure AES-1 would provide for coordinated design and implementation of landscaping throughout the Project site reducing the severity of change in aesthetic character on the Project site.	Class II (less than significant with incorporation of mitigation)
Impact AES-3. The Project would introduce new sources of light and glare that would increase light levels in the vicinity of the Project site with the possibility of adversely affecting daytime and nighttime views. This impact would be Class II, potentially significant but mitigable.	**AES-3 Lighting Plan** The Project applicant shall provide an overall lighting plan that demonstrates that the Project complies with the General Plan Policy LU-2D, which requires that: 1. New lighting shall be shielded and directed downward and that light and glare not adversely affect adjacent properties. 2. For all development located near adjacent properties, exterior lighting shall be designed and constructed in such a manner to direct light overflow away from those properties. 3. All lighting shall be International Dark Sky Association compliant to reduce impacts to nighttime views in the area. 4. All lighting fixtures shall be fully shielded and fully cut-off. 5. Lighting shall be of low intensity, the minimum wattage required and of minimum height. 6. Project building surfaces shall incorporate low-reflectivity window glass and architectural materials. **Plan Requirements and Timing.** The owner/applicant shall develop a lighting plan incorporating the above requirements for City staff review. The lighting plan shall show the locations and height of all exterior lighting fixtures and the direction of light being cast by each fixture. This requirement and glare reduction requirements shall be reflected on building plans and improvement plans, subject to review and approval by City staff. City staff shall review the lighting plan for compliance with this condition prior to approval of building permits and development plans. Lighting shall be installed in compliance with this condition prior to final building inspection clearance. **Monitoring.** City staff shall site inspect upon installation to ensure that exterior lighting fixtures have been	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
	installed consistent with their depiction and specifications on the final lighting plan and that building surfaces are low-reflectivity consistent with building plans.	
Agriculture and Forestry Resources		
Impact AG-1. Implementation of the Project would require conversion of approximately 28.9 acres of land with a soil type classified as farmland of statewide importance to non-agricultural uses. This impact would be Class II, potentially significant but mitigable.	**AG-1 Agricultural Preservation and Irrigation** Of the 82 acres on the Project site designated within the Agricultural land use category, as shown on Figure 2-4 in Section 2, Project Description, at least 28.9 acres of irrigated vineyard shall be recorded in a permanent agricultural/conservation easement and the remaining acreage shall be used as additional vineyard or other agricultural use. The land to be recorded in permanent agricultural/conservation easement is not currently designated as prime farmland. In order to constitute prime agricultural land for a 1:1 offset to meet LAFCO annexation requirements, the area recorded in a permanent agricultural/conservation easement shall be irrigated. The full easement area shall be maintained with installation of irrigation infrastructure. **Plan Requirements and Timing**. The Project applicant shall demonstrate on Project plans the areas of the Project site that will be designated for agricultural use before final plan approval. The Project applicant shall also submit proof of permanent agricultural/conservation easement prior to final plan approval. Irrigation to agricultural easement areas shall be installed and verified prior to issuance of the first building permit for the Project. **Monitoring**. City shall verify that the agricultural areas are designated on plans prior to final plan approval. City shall verify recordation of agricultural/conservation easement and installation of irrigation for agricultural uses prior to issuance of first building permit.	Class II (less than significant with incorporation of mitigation)
Impact AG-2. The Project would result in development of new resort residential, hotel, and commercial uses adjacent to existing vineyards, which may result in conflicts that would adversely affect the long-term viability of agricultural uses on adjacent properties. This impact would be class II, potentially significant but mitigable.	**AG-2(a) Agricultural Buffers** Agricultural buffer easements, berms, and/vegetative screening shall be implemented on newly recorded lots of the Project site adjacent to active agricultural uses outside of the Project site. Agricultural buffer easements, berms, and/vegetative screening shall provide a minimum of 50 feet between active agricultural land uses outside of the Project site along the northwestern and southwestern boundaries between proposed development areas 3 and 5 and adjacent properties. These buffers between the proposed uses and surrounding properties would reduce and/ or avoid noise, dust, light impacts, odors, chemical use, and pesticide drift to new resort residential and hotel uses on the Project site. The requirement will be a condition of approval of discretionary development applications, consistent with the requirements of Action Item 10 under Policy OS-1A and Action Item 4 under Policy LU-2E in the City's General Plan and will include City-approved measures to reduce availability of public access to agricultural cultivation areas adjacent to the Project site (e.g., fencing, signs). Future residents and hotel/commercial lessees shall be notified of agricultural buffers as part of purchase or lease agreements. **Plan Requirements and Timing**. The applicant shall clearly identify buffers and access restrictions on the development plans and Vesting Tentative Tract Map (TTM 3120). **Monitoring**. The city shall review and approve the agricultural buffers prior to approval of TTM 3120 for the Project and shall ensure that buffers are implemented in compliance with General Plan Policy OS-1A and Policy	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
	LU-2E. The city shall review the development plans and TTM 3120 to ensure that design includes buffers and access restrictions as required under Mitigation Measure AG-2(a). Field inspections at appropriate phases of project construction shall confirm compliance with Mitigation Measure AG-2(a). **AG-2(b) Limitations on Pesticide Applications** New agricultural uses on the Project site, such as the proposed vineyards located in the Agricultural land use area, shall be managed without the use of pesticide applications using aircraft, airblast sprayers, sprinklers, dust, powders, or fumigants (California Code of Regulations, Title 3, Sections 6690-6692). **Plan Requirements and Timing**. The applicant shall clearly identify pesticide restrictions prior to issuance of occupancy clearance. **Monitoring**. The city shall review and approve the pesticide limitations prior to issuance of occupancy permits. **AG-2(c) Right to Farm Notification** Development within the Project site would also be required to comply with the city's right to farm ordinance, to reduce conflicts with nearby agricultural operations by notifying prospective purchasers of land in close proximity to agricultural operations of the inherent problems, including agriculture-related sounds, dust, odor, fertilizers, pesticides, smoke, and vibrations, associated with such purchases. In accordance with the city's right to farm ordinance (Municipal Code Section 21.16J.220), upon the transfer of real property on the project site, the transferor shall deliver to the prospective transferee a written disclosure statement that shall make all prospective property owners and lessees on the Project site aware that although potential impacts or discomforts between agricultural and non-agricultural uses may be lessened by proper maintenance, some level of incompatibility between the two uses would remain. This notification shall include disclosure of potential nuisances associated with on-site agricultural uses, including the frequency, type, and technique for pesticide spraying, frequency of noise-making bird control devices, dust, and any other vineyard practices that may present potential health and safety effects. In addition, comprehensive supplemental notification information regarding vineyard operations shall be provided to prospective property owners prior to property transfer, based on consultation with the San Luis Obispo County Department of Agriculture/Weights and Measures. Should vineyard maintenance practices change substantially (e.g., through the use of new agricultural chemicals or application techniques), notification shall be provided to existing and prospective Project residents. **Plan Requirements and Timing**. The applicant shall prepare and distribute right to farm notifications to prospective property owners and lessees upon all property transfers. **Monitoring**. The city shall verify inclusion of right to farm notifications upon review and approval of all property transfers.	

Impact	Mitigation Measure (s)	Significance After Mitigation
Impact AG-4. The Project may result in the conversion of forest land to non-forest uses. This impact would be Class II, less than significant with implementation of mitigation.	Mitigation Measures BIO-4(a) and BIO-4(b) would provide for preservation and compensatory mitigation for the loss of oak trees on the Project site.	Class II (less than significant with incorporation of mitigation)
Air Quality		
Impact AQ-2. Construction of the Project would generate temporary increases in criteria air pollutant emissions. Construction emissions of ROG and NO_X would exceed SLOAPCD construction thresholds. Impacts would be Class II, potentially significant but mitigable.	**AQ-2 Fugitive Dust Control Measures** The following SLOAPCD-recommended dust control measures shall be implemented to reduce construction-generated fugitive dust. These measures shall be included in the Construction Activity Management Plan (CAMP) shown on grading and building plans. a. Reduce the amount of the disturbed area where possible. b. Use water trucks, SLOAPCD-approved dust suppressants, or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the SLOAPCD's limit of 20 percent opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph and during summer months (i.e., June through September). Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of a SLOAPCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. c. All dirt stockpile areas shall be sprayed with water or a SLOAPCD-approved dust suppressant daily as needed. d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities; e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating, native erosion control seed mix and watered until vegetation is established. f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the City of Paso Robles. g. All roadways, driveways, sidewalks, etc. to be paved shall 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 shall be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
	j. Wheel washers shall be installed at the construction site entrance/exist, tires or tracks of all trucks and equipment leaving the site shall be washed, or other SLOAPCD-approved track-out prevention devices sufficient to minimize the track-out of soil onto paved roadways shall be implemented. k. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible. l. The burning of vegetative material shall be prohibited. m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent 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 SLOAPCD Compliance Division and City of Paso Robles prior to the start of any grading, earthwork or demolition. n. When applicable, portable equipment, 50 horsepower or greater, used during construction activities shall be registered with the statewide Portable Equipment Registration Program (issued by CARB) or be permitted by SLOAPCD. Such equipment may include power screens, conveyors, internal combustion engines, crushers, portable generators, tub grinders, trammel screens, and portable plants (e.g., aggregate plant, asphalt plant, concrete plant). **Plan Requirements and Timing**. Fugitive dust control measures shall be included on grading plans, as applicable. The Project applicant shall submit proof of implementation of SLOAPCD-approved measures before final inspection of grading. For measures that include a feasibility component, the Project applicant shall submit proof of implementation, or proof that implementation was determined to the satisfaction of the City or City-approved third-party air quality consultant to be infeasible. **Monitoring**. City staff verify compliance periodically during construction activities.	
Impact AQ-5. Grading and other earthmoving activities during Project construction would have the potential to expose sensitive receptors to Coccidioides fungus, which can cause Valley Fever. This impact would be less Class II, potentially significant but mitigable.	**AQ-5 Valley Fever Suppression Measures** The Project applicant and contractor(s) shall implement the following measures during construction activities to reduce impacts related to valley fever. a. If peak daily wind speeds exceed 15 mph or peak daily temperatures exceed 95 degrees Fahrenheit for three consecutive days, additional dust suppression measures (such as additional water or the application of additional soil stabilizer) shall be implemented prior to and immediately following ground disturbing activities. The additional dust suppression shall continue until winds are 10 mph or lower and outdoor air temperatures are below a peak daily temperature of 90 degrees for at least two consecutive days. The additional dust suppression measures shall be incorporated into the Construction Activity Management Plan (CAMP) (see Mitigation Measure AQ-2). b. Heavy construction equipment traveling on un-stabilized roads within the Project site shall be preceded by a water truck to dampen roadways and reduce dust from transportation along such roads. This measure shall be incorporated into the CAMP (see Mitigation Measure AQ-2).	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
	c. The Project developer(s) shall notify the San Luis Obispo County Public Health Department and the City of Paso Robles Community Development Department not more than 60 nor less than 30 days before construction activities commence to allow the San Luis Obispo County Public Health Department opportunity to provide educational outreach to community members and medical providers, as well as enhanced disease surveillance in the area both during and after construction activities involving grading. d. Prior to any Project grading activity, the Project construction contractor(s) shall prepare and implement a worker training program that describes potential health hazards associated with Valley Fever, common symptoms, proper safety procedures to minimize health hazards, and notification procedures if suspected work-related symptoms are identified during construction, including the fact that certain ethnic groups and immune-compromised persons are at greater risk of becoming ill with Valley Fever. The objective of the training shall be to ensure the workers are aware of the danger associated with Valley Fever. The worker training program shall be included in the standard in-person training for Project workers and shall identify safety measures to be implemented by construction contractors during construction. Prior to initiating any grading, the Project applicant shall provide the City of Paso Robles and the San Luis Obispo County Public Health Department with copies of all educational training material for review and approval. No later than 30 days after any new employee or employees begin work, the project applicant shall submit evidence to City staff that each employee has acknowledged receipt of the training (e.g., sign-in sheets with a statement verifying receipt and understanding of the training). e. The applicant shall work with a medical professional, in consultation with the San Luis Obispo County Public Health Department, to develop an educational handout for on-site workers and surrounding residents within three miles of the Project site that includes the following information on Valley Fever: ▪ Potential sources/causes ▪ Common symptoms ▪ Options or remedies available should someone be experiencing these symptoms ▪ The location of available testing for infection Prior to construction permit issuance, this handout shall have been created by the applicant and reviewed by City staff. No less than 30 days prior to any surface disturbance (e.g., grading, filling, trenching) work commencing, this handout shall be mailed to all existing residences within three miles of the Project site. **Plan Requirements and Timing**. The Project applicant shall submit the CAMP, including the Valley Fever Suppression Measures, to the City of Paso Robles and SLOAPCD for review prior to the issuance of grading permits for the first Project phase. The applicant shall submit proof that San Luis Obispo County Public Health Department has been notified prior to commencement of construction activities; a worker training program has been conducted; and the educational handout has been mailed to existing residences and businesses within three miles of the Project site. **Monitoring**. City staff shall verify compliance with the CAMP, including the Valley Fever Suppression Measures, through review of the third-party consultant evaluation reports. City staff shall also verify notification of the San	

Impact	Mitigation Measure (s)	Significance After Mitigation
	Luis Obispo County Public Health Department, implementation of the worker training program, and mailing of the educational handout via applicant-submitted materials.	
Biological Resources		
Impact BIO-1. The project would result in impacts to special status species including shining navarretia, northern California legless lizard, lesser slender salamander, Cooper's hawk, white-tailed kite, golden eagle, loggerhead shrike, Monterey dusky-footed woodrat, Salinas pocket Mouse, and American badger, if present. Ground disturbing activities could result in injury or mortality to individuals of these species and remove suitable habitat. This impact would be Class II, significant but mitigable.	**BIO-1(a) Special Status Plant Pre-construction Surveys** Prior to construction (including staging and mobilization) and when plants with potential to occur are in a phenological stage conducive to positive identification (i.e., usually during the blooming period for the species), a qualified botanist (retained by the applicant and approved by the City) shall conduct surveys for special status plant species within suitable habitat across the Project site. Within the portion of the Project site previously surveyed by Althouse and Meade on June 21, 2019 (Appendix D), these surveys shall target the early blooming (spring) time period and be combined with the late season botanical survey previously conducted. For all portions of the Project site not previously surveyed for special-status plants, a complete botanical survey (i.e. two surveys spread out during the time period within which any special-status plants with potential to occur are in a phenological stage conducive to positive identification) shall be conducted. Reference sites shall be visited to document that target species are detectable prior to site surveys and/or confirm that phenology of species known to bloom and co-occur with target species is suitable for detection if a publicly accessible reference site is not available for a given species. Valid botanical surveys will be considered current for up to five years; if construction has not commenced within five years of the most recent survey, botanical surveys shall be repeated. **Plan Requirements and Timing.** This measure shall be implemented prior to issuance of grading permits and/or initiation of site disturbance/construction. **Monitoring.** The City shall review and approve documentation of compliance with the conditions outlined in the measure. **BIO-1(b) Special Status Plant Species Avoidance** If state listed, federally listed, or non-listed CRPR 1B.1 species are discovered within the survey area, an impact analysis to evaluate how the Project would impact the special status plants shall be completed. If feasible, development would be re-designed in coordination with a qualified biologist to avoid impacting these plant species. Special status plants that are not within the immediate disturbance footprint, but are located within 50 feet of disturbance limits will be flagged and fenced off by a qualified biologist before construction activities start, to avoid impacts to special status plant species. If avoidance of state listed or federally listed plants species is not feasible, impacts must be fully offset through implementation of a restoration plan that results in no net loss (see measure BIO-1(c)). Note that prior to implementing activities that result in impacts to listed plants, consultation with CDFW and/or USFWS and acquisition of any required permits and/or authorizations must also be completed. **Plan Requirements and Timing.** If required, the components of this measure shall be implemented prior to issuance of grading permits and/or initiation of site disturbance/construction. **Monitoring.** The City shall review and approve documentation of compliance with the conditions outlined in the	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
	measure. **BIO-1(c) Restoration Plan for Special Status Plant Species** If avoidance of state listed, federally listed, and/or non-listed CRPR 1B.1 species is not feasible, all impacts shall be mitigated at a minimum ratio of 2:1 (number of acres/individuals restored to number of acres/individuals impacted) for each species as a component of habitat restoration. The restoration plan shall include, at a minimum, the following components: a. Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type); b. Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved]; c. Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values); d. Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including species to be used, container sizes, seeding rates, etc.]); e. Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule); f. Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year, along with performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, and annual monitoring reports for a minimum of five years at which time the project proponent shall demonstrate that performance standards/success criteria have been met; g. Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80% survival of container plants and 70% absolute cover by vegetation type. Absolute cover will be determined in comparison to a reference plot for native species. h. An adaptive management program and remedial measures to address any shortcomings in meeting success criteria; i. Notification of completion of compensatory mitigation; and j. Contingency measures (e.g. initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism). **Plan Requirements and Timing.** If required, the components of this measure shall be implemented prior to issuance of grading permits and/or initiation of site disturbance/construction. **Monitoring.** The City shall review and approve documentation of compliance with the conditions outlined in the measure.	

Impact	Mitigation Measure (s)	Significance After Mitigation
	BIO-1(d) Northern California Legless Lizard and Lesser Slender Salamander Impact Avoidance and Minimization. Pre-construction surveys for northern California legless lizard and lesser slender salamander shall be conducted, as applicable, prior to primary grubbing and other construction activities that affect previously undisturbed habitat. The surveys shall be conducted at appropriate times of day or night to locate each species, and shall be conducted within 3 weeks of the start of work. If no special status species are found, construction activities may begin immediately. If non-listed special status species are found, a qualified biologist shall move them to the nearest safe location. The Project biologist shall have the authority to stop work if special status species are found in the Project areas during construction. **Plan Requirements and Timing.** This measure shall be implemented prior to issuance of grading permits and/or initiation of site disturbance/construction. **Monitoring.** The City shall review and approve documentation of compliance with the conditions outlined in the measure.	
	BIO-1(e) Special Status Birds, Nesting birds, and Raptors Impact Avoidance and Minimization. If initial ground disturbing activities and vegetation removal occurs during the typical avian nesting period, between March 15 and August 15, nesting bird surveys shall be conducted by a qualified biologist within one week prior to initial ground disturbance activities or removal of vegetation. Surveys shall continue to be conducted within the timeframes specified above until all vegetation removal activities are completed. 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 of passerine species and 300 feet of nests of raptor species until chicks are fledged. A pre-construction survey report shall be submitted to the City 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 area and nest locations shall be included with the report. The biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions and tolerance of the species in question to Project activities where normal attendance of the nest is not affected. **Plan Requirements and Timing.** The survey is required if initial ground disturbing activities or vegetation removal occurs between March 15 and August 15. If a survey is required, results of the survey shall be submitted to the City within one week of conducting the survey. The Owner/Applicant shall establish avoidance buffers prior to commencement of construction activities, as required. **Monitoring.** The City shall review and approve the survey results and provide confirmation of compliance with the conditions outlined in the measure. The City shall ensure the avoidance buffers are established and maintained as needed.	
	BIO-1(f) Monterey Dusky-footed Woodrat Impact Avoidance and Minimization. Where practicable a 25-foot setback from known woodrat nests shall be established for all Project activities. Planned construction would avoid known woodrat nests. However, if during construction it is found that a woodrat nest cannot be avoided, it shall be dismantled prior to land clearing activities, to allow animals to escape harm and to reestablish	

Impact	Mitigation Measure (s)	Significance After Mitigation
	territories for the next breeding season. Dismantling of woodrat nests shall be conducted under the supervision of a qualified biologist. Woodrat nests shall be dismantled outside the breeding season, between September 1 and December 31. Dismantling shall be done by hand or mechanized equipment, but techniques shall be employed that allow any animals to escape toward available habitat. If a litter of young is found or suspected, woodrat nest material should be replaced, and the nest left undisturbed for 2-3 weeks before a re-check to verify that young are capable of independent survival before proceeding with woodrat nest dismantling. **Plan Requirements and Timing.** The Owner/Applicant shall establish avoidance buffers prior to commencement of construction activities, as required. Woodrat nest dismantling, if required, shall occur between September 1 and December 31. **Monitoring.** The City shall review and approve documentation of compliance with the conditions outlined in the measure. **BIO-1(g) American Badger Impact Avoidance and Minimization.** A pre-construction survey for American badger dens shall be conducted by a qualified biologist within 15 days prior to the start of construction for any specific phase of the Project. If potential badger dens are identified, they shall be inspected by the qualified biologist 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 may be used to examine the den to the end, or other means of determining occupancy such as motion-activated wildlife cameras may also be utilized, under the direction of the qualified biologist. If the camera method is used, cameras must be used for four consecutive nights to make a determination on den activity and occupancy status. 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 by a qualified biologist to determine if badgers are present. If present, they may be encouraged to vacate the den by a qualified biologist, and after the biologist has confirmed the animal has vacated the den, excavated by hand with a shovel to prevent re-use of the den during construction. **Plan Requirements and Timing.** The Owner/Applicant shall establish avoidance buffers prior to commencement of construction activities, as required. Potential badger den destruction, if required, shall occur between July 1 and February 1. **Monitoring.** The City shall review and approve documentation of compliance with the conditions outlined in the measure. **BIO-1(h) Worker Environmental Awareness Program Training.** Prior to the initiation of construction activities (including staging and mobilization), the Owner/Applicant shall ensure all personnel associated with project construction attend a Worker Environmental Awareness Program (WEAP) training.	

Impact	Mitigation Measure (s)	Significance After Mitigation
	The initial training shall be conducted by a qualified biologist, to aid workers in recognizing special status resources that may occur in the project area. Additional trainings for new personnel may be given through an electronic presentation prepared by the qualified biologist. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and avoidance measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. All employees shall sign a form provided by the trainer documenting they have attended the WEAP and understand the information presented to them. **Plan Requirements and Timing.** The training shall occur prior to construction activities. The Owner/Applicant shall provide the signed form of all attendees within one week of the training to the City to document compliance. **Monitoring.** The City shall verify that the worker awareness program conforms to the required conditions. **BIO-1(i) Open Space Management Plan** The Owner/Applicant shall develop an Open Space Management Plan (OSMP) that describes the maintenance and management of open spaces and riparian habitats on the property post-construction. The OSMP shall be focused on the open space area that is a subset of the 98 acres of Area 7 (see Table 2-1) that are not designated to either remain in agricultural production or be converted to agricultural production. The OSMP will address weed control as well as protection of nesting birds and special status species during routine maintenance and other allowed uses within the open space (e.g., vegetation management activities that may be required as part of a fuels management program, etc.).In addition, the OSMP will address protection of riparian corridors adjacent to agricultural use areas, and protection of any native oak trees that are to remain within the open space. The OSMP will be a tool to guide approved future uses within the open space area, such as allowed recreational uses, ensuring that required on-site mitigation measures are implemented as they relate to the above mentioned resources. The OSMP shall be prepared by a qualified biologist and shall include the following: ▪ Introduction, including a summary of applicable conditions of approval that make the plan necessary; the stated purpose and goal of the OSMP, and a discussion of financial mechanisms and any necessary agreements required to support the open space management area; ▪ Survey and Mapping Methods, including habitat type references such as A Manual of California Vegetation, Second Edition (Sawyer et al. 2009); ▪ Description of environmental setting (topography, soils, vegetation, wildlife, functions and values of habitats, etc.); ▪ Management goals and objectives; (examples include: [1] to ensure long-term protection of native plant communities and wildlife habitat in the open space areas on site; [2] to establish baseline conditions upon which adaptive management will be determined and success will be measured; and [3] to provide an	

Impact	Mitigation Measure (s)	Significance After Mitigation
	overview of the operation, maintenance, administrative and personnel requirements to implement management goals); ▪ Provisions for Adaptive Management, including remedial actions if necessary; ▪ Incorporation of applicable mitigation measures as they relate to sensitive biological resources that are present or may be present in open space areas in the context of the allowable uses; ▪ Incorporation of any compensatory mitigation requirements (if required) that would occur within the open space for on-site mitigation pursuant to a habitat restoration plan (Mitigation Measures BIO-2[b] **Plan Requirements and Timing.** The OSMP shall be reviewed by the City prior to issuance of grading permits and/or initiation of site disturbance/construction. **Monitoring.** The City shall review and approve documentation of compliance with the conditions outlined in the measure.	
Impact BIO-2. The project may result in impacts to riparian areas. This impact would be Class II, significant but mitigable.	**BIO-2(a) Jurisdictional Delineation and Agency Permits** A jurisdictional delineation shall be conducted on the Project site according to state and federal standards to determine the extent of CWA Section 404 wetlands and waters under jurisdiction of the USACE, CWA Section 401 waters and wetlands under jurisdiction of the State Water Resources Control Board and Regional Water Quality Control Board, and CFGC Section 1600 et seq. for any streams and/or riparian vegetation under CDFW jurisdiction. Based on the results of the jurisdictional delineation, if impacts are determined to any jurisdictional feature or habitat, the proponent shall apply for and obtain required permits from the USACE, RWQCB, and/or CDFW as applicable prior to the start of construction. **Plan Requirements and Timing.** The Owner/Applicant shall provide the City with results of the jurisdictional delineation prior to issuance of grading permits, and provide copies of any applicable agency permits acquired before the start of construction. **Monitoring.** The City shall review and approve documentation of compliance with the conditions outlined in the measure. **BIO-2(b) Mitigate for Loss of any Riparian Areas** Based on the results of the jurisdictional delineation (BIO-2(a)), and determination of impacts (if any) to riparian vegetation, the Owner/Applicant shall mitigate the loss of riparian habitat as required by the permits issued by USACE, RWQCB, and/or CDFW, as applicable, but at minimum ratio of 1:1 (number of acres restored to number of acres impacted). A habitat restoration plan shall be prepared and submitted to the City for approval upon completion of the Project. The plan shall incorporate monitoring and maintenance of the restored habitat for a period of no less than 3 years. **Plan Requirements and Timing.** The habitat restoration plan shall be submitted to and approved by the City prior to issuance of grading permits. **Monitoring.** The Owner/Applicant shall contract with a qualified biologist to prepare and submit annual monitoring reports to the City. The City shall review the monitoring reports and determine whether the restoration has successfully mitigated for impacts to riparian habitat at the required ratio.	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
Impact BIO-3. The project may impact state and federally protected wetlands through direct removal, filling, or hydrological interruption. This impact would be Class II, significant but mitigable.	**BIO 3(a) Agency Coordination** If after completion of BIO-2(a) jurisdictional delineation, it is determined that Impacts to drainages and wetlands will occur, the Project will require permits from USACE, RWQCB, and/or CDFW, as applicable. The Owner/Applicant shall comply with all state and federal permitting requirements. The Owner/Applicant shall obtain and produce for the City correspondence from applicable state and federal agencies regarding compliance of the proposed development with state and federal laws. **Plan Requirements and Timing.** The applicant shall submit copies of correspondence and/or permits (as applicable) with applicable agencies to the City prior to issuance of grading permits. **Monitoring.** The City shall ensure that grading permits conform to the conditions of any permits issued by state and federal agencies. **BIO-3(b) Wetland and Drainage Mitigation** If applicable and as determined after completion of BIO-2(a), impacts to federal wetland areas and drainages (as defined by the CWA Section 404) and state wetlands and drainages shall be mitigated at a minimum ratio of 1:1 (acres restored to acres impacted) or enhanced at a minimum ratio of 3:1 ratio (enhancement to impacted area). The mitigation program shall be developed by a qualified biologist and be incorporated into and conform with the habitat restoration plan requirements under Mitigation Measure BIO-2(b). The mitigation shall be implemented for no less than 3 years after construction or until the local jurisdiction and/or the permitting authority (e.g., USACE) has determined that compensatory mitigation has been successful. **Plan Requirements and Timing.** The habitat restoration plan shall be submitted to and approved by the City prior to issuance of grading permits. **Monitoring.** The Owner/Applicant shall contract with a qualified biologist to prepare and submit annual monitoring reports to the City. The City shall review the monitoring reports and determine whether the restoration has successfully mitigated for impacts to riparian habitat at the required ratio. **BIO-3(c) Jurisdictional Areas Best Management Practices During Construction** The following best management practices shall be required for grading and construction within jurisdictional areas or wetlands where impacts are authorized. In addition, the measures shall be required at locations where construction occurs within 100 feet from jurisdictional areas or wetlands. a. Access routes, staging, and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to other waters (federal and state) including locating access routes and ancillary construction areas outside of jurisdictional areas. b. To control erosion and sediment runoff during and after project implementation, appropriate erosion control materials shall be deployed and maintained to minimize adverse effects on jurisdictional areas in the vicinity of the project. c. Project activities within the jurisdictional areas should occur during the dry season (typically between May 1 and September 30) in any given year, or as otherwise directed by the regulatory agencies. Deviations from	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
	this work window can be made with permission from the relevant regulatory agencies. d. During construction, no litter or construction debris shall be placed within jurisdictional areas. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site. e. All project-generated debris, building materials, and rubbish shall be removed from jurisdictional areas and from areas where such materials could be washed into them. f. Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic species resulting from project-related activities, shall be prevented from contaminating the soil and/or entering jurisdictional areas. g. All refueling, maintenance, and staging of equipment and vehicles shall occur at least 100 feet from bodies of water and in a location where a potential spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water source). Prior to the onset of work activities, a plan must be in place for prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should an accidental spill occur. **Plan Requirements and Timing.** These measures shall be implemented during grading and construction and shall be included on all land use, grading, and building plans. The Owner/Applicant shall retain a qualified biologist to assist with the preparation of plans, monitor compliance with the above measures and provide to monthly monitoring reports to the City to document compliance. **Monitoring.** The City shall ensure the above measures are implemented and included on all land use grading, and building plans. The City shall review documentation and confirm compliance with the above measures. If the qualified biologist and/or the City determines construction activities are out of compliance, work shall stop until measures are fully implemented.	
Impact BIO-4. The project would result in impacts to protected trees. This impact would be Class II, significant but mitigable.	**BIO-4(a) Oak Tree Compensatory Mitigation** The Owner/Applicant shall ensure the following actions are implemented to compensate for impacts to protected oak trees: a. Impacted (but not removed) oaks shall be mitigated for by planting one 24-inch boxed tree with at least a 1.5-inch diameter for impacts less than 50 percent of the critical root zone (CRZ; area of root space that is within a circle circumscribed around the trunk of a tree using a radius of one foot per inch diameter at breast height [DBH]) as defined by the City Oak Tree Protection Ordinance. Two 24-inch boxed trees shall be planted for trees with impacts of 50 percent or greater of the tree. The mitigation trees shall be planted on the Project site and incorporated into the landscape plan. If boxed trees are not available, or are not sourced from California's central coast region, smaller caliper trees may be planted at a ratio of 5:1 for each tree removed. Additional trees may be planted from acorns collected on site, protected from below and above-ground browse damage, and counted as mitigation trees if they reach a height of three feet by Year 7 and exhibit high vigor. b. Oak trees removed by the project shall be replaced in accordance with the Paso Robles Oak Tree Protection Ordinance. Replacement oaks for removed trees must be equivalent to 25 percent of the diameter of the	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
	removed tree(s). For example, the replacement requirement for removal of two trees of 15 inches DBH (30 total diameter inches), would be 7.5 inches (30 inches removed x 0.25 replacement factor). This requirement could be satisfied by planting five 1.5-inch trees, or three 2.5-inch trees, or any other combination totaling 7.5 inches. A minimum of two 24-inch box, 1.5-inch trees shall be required for each oak tree removed. Replacement trees shall be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least 7 years by a City-approved arborist. The arborist shall prepare an annual report detailing the condition of each replacement tree and any maintenance activities conducted. Any trees that are dead or in decline during the 7-year monitoring will be replaced and monitored for an additional 7 years after the replacement is planted. **Plan Requirements and Timing.** Replacement trees shall be installed with site landscaping during the Phase of construction in which they are impacted or removed. The Owner/Applicant shall submit the annual reports to the City by December 31 of each year of monitoring. **Monitoring.** The City shall review and approve the Tree Protection Plan and ensure the replacement trees are consistent with the requirements in the above measure. **BIO-4(b) Oak Tree Protection** The Owner/Applicant shall ensure the following actions are implemented to avoid and minimize potential impacts to protected oak trees: a. Tree canopies and trunks within 50 feet of proposed disturbance zones shall be mapped and numbered by a City-approved arborist or biologist and a licensed land surveyor. Data for each tree shall include date, species, number of stems, DBH of each stem, CRZ diameter, canopy diameter, tree height, health, habitat notes, and nests observed. b. An oak tree protection plan shall be prepared and approved by the City that outlines the specific tree protection measures that will apply to each protected oak tree on the Project site. c. Impacts to the oak canopy or CRZ shall be avoided where practicable. Impacts include pruning, any ground disturbance within the dripline or CRZ of the tree (whichever distance is greater), and trunk damage. d. Protective fencing shall be installed at the edge of the critical root zone or line of encroachment for each tree or group of trees that will not be removed. The fence shall be installed before any construction or earth moving begins. The proposed fencing shall be shown on the grading plan. It must be a minimum of 4-foot high chain link, snow or safety fence staked (with t-posts 8 feet on center). The Owner/Applicant shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. Weatherproof signs shall be permanently posted on the fences every 50 feet, with the following information: Tree Protection Zone: No personnel, equipment, materials, or vehicles allowed.	

Impact	Mitigation Measure (s)	Significance After Mitigation
	e. Oil, gasoline, chemicals and other construction materials or equipment which might be harmful to oak trees shall not be stored within the CRZ of the tree. f. Slopes and drains shall be installed according to the city specifications so as to avoid harm to the oak trees due to excess watering. All impacts within the CRZ (e.g., grading, trenching, pruning, utility placement) shall be supervised by a certified arborist approved by the city or the arborist's designated biologist. g. Damage to any tree during construction shall be immediately treated, as appropriate, by an arborist approved by the city to prevent disease or pest infestation. Damage will be reported to the city during each month of construction. The property owner shall be responsible for correcting any damage to oak trees on the property in a manner specified by an arborist approved by the city at the Owner/Applicant's expense. h. No paint thinner, paint, plaster or other liquid or solid excess or waste construction materials or waste water shall be dumped on the ground or into any grate between the outer edge of the CRZ and the base of the oak trees, or uphill from any oak tree where such substance might reach the roots through a leaching process. i. Wires, signs and other similar items shall not be attached to the oak trees. j. All root pruning shall be completed with sharpened hand pruners. Pruned roots shall be immediately covered with soil or moist fabric. k. Oak tree impacts, record of treatment, and protection methods shall be included in a monthly report to the city during active construction periods. **Plan Requirements and Timing.** These measures shall be implemented prior to and/or during grading and construction and shall be included on all land use, grading, and building plans. The Owner/Applicant shall retain a City-approved arborist or biologist to monitor compliance with the above measures. **Monitoring.** The City shall ensure the above measures are implemented and included on all land use grading, and building plans. The City shall review documentation and confirm compliance with the above measures.	
Cultural and Tribal Cultural Resources		
Impact CUL-1. Project grading and other ground-disturbing activities could result in impacts to previously unidentified archaeological resources that may be considered historical resources. Therefore, this impact would be Class II, potentially significant but mitigable.	**CR-1(a) Cultural Resources Monitoring Plan and Qualified Principal Investigator/Native American Monitor** A qualified principal investigator, defined as an archaeologist who meets the Secretary of the Interior's A qualified principal investigator, defined as an archaeologist who meets the Secretary of the Interior's Standards for professional archaeology (hereafter qualified archaeologist), and a Native American monitor shall be retained to carry out all mitigation measures related to archaeological resources. A cultural resource monitoring plan (CRMP) will be developed by the principal investigator in consultation with the Native American Tribes that identifies the locations and activities that require monitoring. The principal investigator shall inspect initial subsurface construction disturbance at locations that may harbor subsurface resources that were not identified on the site surface. The monitor(s) shall be on-site during initial earthmoving activities, including grading, trenching, vegetation removal, or other excavation activities as specified by the CRMP. **Plan Requirements and Timing**. The CRMP shall be submitted to the city for review and approval prior to issuance of a grading permit. The Owner/Applicant shall retain a qualified archaeologist and Native American to	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
	implement the above measures. **Monitoring**. The city will review the CRMP prior to issuance of grading permits. The city will monitor compliance during construction. **CR-1(b) Unanticipated Discovery of Archeological Resources** The CRMP will describe that in the event that archaeological resources are exposed during construction activity, all work shall be halted in the vicinity of the archaeological discovery until a qualified archaeologist can visit the site of discovery and assess the significance of the resource. In the event that any artifact or an unusual amount of bone or shell is encountered during construction, work shall be immediately stopped within 100 feet of the exposed resource until a qualified archaeologist can evaluate the find. Examples of such resources might include: ground stone tools such as mortars, bowls, pestles, and manos; chipped stone tools such as projectile points or choppers; flakes of stone not consistent with the immediate geology such as obsidian or fused shale; historic trash pits containing bottles and/or ceramics; or structural remains. If the resources are found to be significant, they must be avoided or mitigated pursuant to the qualified archaeologist's direction and in consultation with appropriate Native American tribal representatives. Mitigation may involve preservation in place or documentation and excavation of the resource. A report by the archaeologist evaluating the find and identifying mitigation actions taken shall be submitted to the city. **Plan Requirements and Timing**. These requirements shall be described in the CRMP and reflected on grading and building plans and implemented during construction. **Monitoring**. The city will review the CRMP prior to issuance of grading permits. The city will monitor compliance during construction.	
Impact CUL-3. Grading and other ground-disturbing activities could result in impacts to previously unidentified tribal cultural resources. Impacts would be Class II, potentially significant but mitigable.	**CR-3 Unanticipated Discovery of Tribal Cultural Resources** In the event that cultural resources of Native American origin are identified during construction activity all work shall be halted in the vicinity of the discovery until the significance of the resource can be assessed. The city shall begin or continue Native American consultation procedures, in coordination with a qualified archaeologist, if appropriate. If the city, in consultation with local Native Americans, determines that the resource is a tribal cultural resource and thus significant, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with local Native American group(s). The mitigation plan may include but would not be limited to capping and avoidance, excavation and removal of the resource, interpretive displays, sensitive area signage, or other mutually agreed upon measure. **Plan Requirements and Timing**. These requirements shall be described in the CRMP and reflected on grading and building plans. **Monitoring**. These measures shall be implemented during grading and construction. The Owner/Applicant shall retain a qualified archaeologist and Native American monitor to monitor compliance with the above measures.	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
Geology and Soils		
Impact GEO-1. Development on the project site would be exposed to risks associated with geological hazards including settlement; slope instability; and liquefaction that could cause damage to structures, property, utilities, road access, and people. Impacts would be Class II, potentially significant but mitigable.	**GEO-1(a) Geotechnical Investigation and Reporting** The recommendations of the Geotechnical Report, including those pertaining to site-specific geotechnical engineering investigations for each of the major components/improvements included in the Project and intended to reduce impacts from soil instability and settlement, shall be incorporated into the project plans and specifications. **Plan Requirements and Timing**. To be confirmed by the city prior to issuance of grading permits. **Monitoring**. The Geotechnical Engineer is to perform testing and field observation as necessary to confirm that design, construction, and cost specifications to withstand potential geologic hazards conform to the findings and recommendations of the site-specific geotechnical engineering investigations, to the satisfaction of the Building Official and the City Engineer. **GEO-1(b) Earthwork Program** The recommendations of the Geotechnical Report and update thereto, including those pertaining to preparation of an earthwork program shall be incorporated into the project plans and specifications. **Plan Requirements and Timing**. To be confirmed by the city prior to issuance of grading permits. **Monitoring**. The Geotechnical Engineer shall verify preparation of an earthwork program as necessary to ensure that design and construction conform the recommendations of the Geotechnical Report and update thereto to the satisfaction of the City Engineer.	Class II (less than significant with incorporation of mitigation)
Impact GEO-2. Portions of the project site contain soils that are moderate to highly erodible. On-site development may increase soil erosion on the project site during and after construction. This impact would be Class II, potentially significant but mitigable.	**GEO-2 Moisture Conditioning & Fill Compaction** The recommendations of the Geotechnical Report, including those pertaining to grading and soils compaction operations shall be incorporated into the project plans and specifications. **Plan Requirements and Timing**. To be confirmed by the city prior to issuance of grading permits. **Monitorin**g. The Geotechnical Engineer shall perform observation and testing as necessary to ensure that grading operations conform the recommendations of the Geotechnical Report to the satisfaction of the City Engineer.	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
Impact GEO-3. Expansive soils are present on the Project site. Development on expansive soils could damage slabs and foundations. This impact would be Class II, potentially significant but mitigable.	**GEO-3 Geotechnical Report Measures** The recommendations of the Geotechnical Report, including those intended to reduce impacts from expansive soils, shall be incorporated into the project plans and specifications. **Plan Requirements and Timi**ng. To be confirmed by the city prior to issuance of grading permits. **Monitoring**. The Geotechnical Engineer is to perform field observation and testing as necessary to confirm that grading and construction the recommendations of the Geotechnical Report to the satisfaction of the Building Official and the City Engineer.	Class II (less than significant with incorporation of mitigation)
Impact GEO-4. Paleontological resources may be present in fossil-bearing soils that underlay the Project site. Ground-disturbing activities could damage resources that may be present below the surface. This impact would be Class II, potentially significant but mitigable.	**GEO-4(a) Worker Paleontological Resource Awareness Session** A qualified City-approved consultant selected by the Owner/Applicant shall develop a worker awareness program to educate all workers regarding the protection of any paleontological resources that may be discovered during project development, as well as appropriate procedures to enact should paleontological resources be discovered. The qualified consultant shall develop appropriate training materials including a summary of geologic units present at the development site, potential paleontological resources that may be encountered during development, and worker attendance sheets to record workers' completions of the awareness session. The worker awareness session for paleontological resources shall occur prior to project development, and as new employees are added to the project site workforce. The qualified consultant shall provide awareness session sign-in sheets documenting employee attendance to the City for review as requested. **Plan Requirements and Timing**. The worker awareness program shall be reviewed and approved by city staff prior to grading/building permit issuance. The Owner/Applicant shall provide city staff with the name and contact information for the qualified consultant prior to grading/building permit issuance and pre-construction meeting. **Monitoring**. The Owner/Applicant shall demonstrate that the worker awareness program conforms to the required conditions. **GEO-4(b) Paleontological Monitoring and Handling of Resources Inadvertently Discovered During Grading** If unrecorded paleontological resources are uncovered during ground disturbance or construction activities, the Owner/Applicant, under the direction of the qualified consultant identified in Mitigation Measure GEO-4(a) shall: ▪ Temporarily halt construction or excavation activities within 50 feet of the find and redirect activity to other work areas; ▪ Immediately notify the City of Paso Robles Community Development and City Engineer Departments regarding the resource and redirected grading activity; and ▪ Obtain the services of a professional paleontologist who shall assess the significance of the find and provide recommendations as necessary for its proper disposition for review and approval by the City of Paso Robles. All significance assessment and mitigation of impacts to the paleontological resource and verification shall	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
	be reviewed by the City of Paso Robles prior to resuming grading in the area of the find. Mitigation may involve preservation in place or documentation and excavation of the resource. Upon discovery of potentially significant paleontological resources and completion of the above measures, the Owner/Applicant shall submit to city staff a report prepared by the qualified paleontologist documenting all actions taken. **Plan Requirements and Timing**. This condition shall be printed on all building and grading plans. **Monitoring**. City staff shall confirm monitoring by the qualified consultant.	
Hazards and Hazardous Materials		
Impact HAZ-1. Hazardous materials associated with former residential structures and agricultural operations may be present in soils on the Project site. This impact would be Class II, potentially significant but mitigable.	**HAZ-1 Soil Sampling and Remediation** Prior to issuance of any grading permits or site disturbance/tract improvements, a Phase I environmental site assessment shall be completed in portions of land to be graded for each development area on the Project site. Soil samples shall be collected under the supervision of a professional geologist or environmental professional to determine the presence or absence of contaminated soil in these areas. The sampling density shall be in accordance with guidance from the County of San Luis Obispo Environmental Health Services Division, so as to define the volume of soil that may require remediation. Laboratory analysis of soil samples shall be analyzed for the presence of organochlorine pesticides, in accordance with EPA Test Method SW8081A, and heavy metals in accordance with EPA Test Methods 6010B and 7471A. If soil sampling indicates the presence of pesticides or heavy metals exceeding applicable environmental screening levels, the soil assessment shall identify the volume of contaminated soil to be excavated. If concentrations of contaminants exceed EPA action levels and therefore warrant remediation, the applicant shall prepare a Contaminated Soils Assessment and Remediation Plan. The plan shall identify the contaminant, the volume of contaminated soil, treatment or remediation methods, and regulatory permits required to complete the remediation. Remediation activities shall require implementation of all applicable project construction requirements, including other construction-related mitigation measures identified in this EIR. All necessary reports, regulations and permits shall be followed to achieve cleanup of the site. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation and under the direction of the lead oversight agency. The remediation program shall also be approved by a regulatory oversight agency, such as the County of San Luis Obispo Environmental Health Services Division, the RWQCB, or DTSC. All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation, the environmental consultant shall prepare a report summarizing the Project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests. **Plan Requirements and Timing**. Prior to issuance of any grading permits or site disturbance/tract improvements, a Phase I environmental site assessment shall be completed in the portions of land to be graded for development. The Contaminated Soils Assessment and Remediation Plan, if necessary, shall be submitted and approved by the city and applicable regulatory oversight agency prior to the issuance of Project grading	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
	permits or site disturbance/tract improvements, whichever comes first. **Monitoring**. As applicable, the city shall ensure implementation of a remediation program according to the measures included therein and as approved by a regulatory oversight agency.	
Impact HAZ-2. Access to the Project site from South Vine Street could interfere with emergency response plans or emergency evacuation plan with extended use or blockage of this roadway. This impact would be Class II, potentially significant but mitigable.	**HAZ-2 Construction Traffic Control Plan** The applicant shall include a traffic control plan within grading plans submitted to the City for approval. The Traffic Control Plan shall include provisions for notification to all emergency services and affected property owners, designated construction traffic routes, and identify all improvements, equipment and personnel to provide continuous safe routing of traffic during construction. **Plan Requirements and Timing**. The Construction Traffic Control Plan shall be prepared and approved prior to issuance of a grading permit for any development area on the Project site. **Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. City staff shall ensure compliance in the field prior to issuance of permits.	Class II (less than significant with incorporation of mitigation)
Hydrology and Water Quality		
Impact HWQ-1. During Project construction, surface soil would be subject to erosion which may cause pollution of the downstream watershed. The Project's impact on water quality during construction would be Class II, significant but mitigable.	**HWQ-1(a) Stormwater Pollution Prevention Plan** All grading and construction activities shall be implemented pursuant to the SWPPP(s) to be prepared for mass grading/tract improvements on the Project site. The SWPPP(s) shall be prepared by the Project applicant and submitted by the city to the Central Coast RWQCB under the NPDES Phase II program. At a minimum, the SWPPP shall include the BMPs/source control measures and maintenance requirements included in the Preliminary Stormwater Control Plan for the Project. **Plan Requirements and Timing**. The Project applicant shall prepare a SWPPP that identifies construction-related staging and maintenance areas, and at a minimum, the BMPs/source control measures and maintenance requirements included in the Preliminary Stormwater Control Plan. The SWPPP and notices shall be submitted for review and approval by the city prior to the initiation of tract improvements, grading, or construction. **Monitoring**. The city shall ensure compliance with the SWPPPs. A Geotechnical Engineer or an Engineering Geologist shall monitor technical aspects of the grading activities, including installation of the drainage outlets and associated headwalls and aprons. The city shall also inspect the site during grading to monitor runoff and after conclusion of grading activities. **HWQ-1(b) Berms and Basins** As specified in the SWPPP(s), the Project applicant shall be required to manage and control runoff by constructing temporary berms, sediment basins, runoff diversions, or alternative BMPs as approved by the Central Coast RWQCB as part of the SWPPP submittal(s) to avoid unnecessary siltation into local streams during construction activities where grading and construction shall occur in the vicinity of such streams. **Plan Requirements and Timing**. Berms and basins shall be constructed when grading commences. The Project applicant shall sufficiently document, to the Central Coast RWQCB's satisfaction, the proper installation of such berms and basins during grading.	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
	Monitoring. City staff shall ensure berms, sediment basins, runoff diversions, or alternative BMPs are included on Project construction plans prior to approval. City staff shall also inspect the site during grading to monitor compliance with this measure. **HWQ-1(c) Erosion and Sediment Control Plan** As specified in the SWPPP(s) and the City's Stormwater Control ordinance, the Project applicant shall be required to prepare and submit site-specific erosion and sediment control plans for mass grading as well as for development of each development area within the Project site. The plans shall be designed to minimize erosion and water quality impacts, to the extent feasible, and shall be consistent with the requirements of the Project's SWPPP(s). The plans shall include the following: a. Graded areas shall be revegetated with deep-rooted, native, non-invasive drought tolerant species to minimize slope failure and erosion potential. Geotextile fabrics shall be used as necessary to hold slope soils until vegetation is established; b. Temporary storage of construction equipment shall be limited to a minimum of 100 feet away from drainages on the Project site; c. Erosion control structures shall be installed; d. Demonstrate peak flows and runoff for each phase of construction; and e. Be coordinated with habitat restoration efforts, including measures to minimize removal of riparian and wetland habitats and trees (Mitigation Measures BIO-2[a], BIO-2[b], BIO-3[a] through BIO-3[c], BIO-4[a], and BIO-4[b]). Erosion and sediment control plans shall be submitted for review and approval by City staff. The Project applicant shall ensure installation of erosion control structures prior to beginning of construction of any structures, subject to review and approval by the City. **Plan Requirements and Timing**. The Project applicant shall prepare site-specific erosion and sediment control plans consistent with the requirements of the SWPPP(s). The erosion and sediment control plans shall be submitted for review and approval by City staff prior to the initiation of grading and/or construction. **Monitoring**. City staff shall ensure compliance with the erosion and sediment control plans. City staff shall also inspect the site during grading to monitor runoff and after conclusion of grading activities.	
Impact HWQ-3. During operation, the proposed resort and commercial uses would increase the quantities of pollutants associated with urban uses. The Project's impact to water quality would be Class II, significant but mitigable.	**HWQ-3(a) Stormwater Quality Treatment Controls** BMP devices shall be incorporated into the stormwater quality system depicted in the erosion and sediment control plan (refer to Mitigation Measure HWQ-1[c]). BMPs shall include, at a minimum, the BMPs/source control measures and maintenance requirements included in Stormwater Control Plans. These measures include permanent and operation source control BMPs for landscaping, waste disposal, outdoor equipment storage, and parking. **Plan Requirements and Timing**. The BMPs for stormwater quality shall be shown on Project SWPPP(s). The SWPPP and notices shall be submitted for review and approval by the city prior to the initiation of tract improvements, grading, or construction.	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
	Monitoring. The city shall ensure compliance with the SWPPPs. A Geotechnical Engineer or an Engineering Geologist shall monitor technical aspects of the grading activities, including installation of the drainage outlets and associated headwalls and aprons. The city shall also periodically inspect the site during and after grading to monitor runoff. **HWQ-3(b) Stormwater Best Management Practice Maintenance Manual** The Project applicant shall prepare a development maintenance manual for the stormwater quality system/LID BMPs. The maintenance manual shall include detailed procedures for maintenance and operations of all stormwater facilities to ensure long-term operation and maintenance of post-construction stormwater controls. The maintenance manual shall require that stormwater BMP devices be inspected, cleaned, and maintained in accordance with the manufacturer's or designer's maintenance specifications. The manual shall require that devices be cleaned annually prior to the onset of the rainy season (i.e., October 15) and immediately after the end of the rainy season (i.e., May 15). The manual shall also require that all devices be checked after major storm events. **Plan Requirements and Timing**. The Project applicant shall prepare development maintenance manual as specified in this measure. The development maintenance manual shall be submitted for review and approval by the city prior to approval of grading and public improvement plans. **Monitoring**. The City shall ensure compliance with the requirements in the development maintenance manual as required by the state. The City may also inspect the site after occupancy to ensure implementation of the requirements in the development maintenance manual. **HWQ-3(c) Stormwater BMP Semi-Annual Maintenance Report** The property manager(s) or acceptable maintenance organization shall submit to the City of Paso Robles Public Works Department a detailed report prepared by a licensed Civil Engineer addressing the condition of all private stormwater facilities, BMPs, and any necessary maintenance activities on a semi-annual basis (October 15 and May 15 of each year). The requirement for maintenance and report submittal shall be recorded against the property. **Plan Requirements and Timing**. The Project applicant shall demonstrate inclusion of BMPs within the tentative tract maps, and utilities plans, which shall be submitted for review and approval by the City prior to development plan approval and final tentative tract map recordation. **Monitoring**. The City shall review and approve the required plans and maintenance report with tentative tract map approval.	

Impact	Mitigation Measure (s)	Significance After Mitigation
Noise		
Impact N-1. The Project would introduce new noise sensitive uses, including workforce housing, to an area where future exterior noise levels would exceed City standards. This impact would be Class II, potentially significant but mitigable.	**N-1 Exterior Noise Abatement** Prior to issuance of a building permit for the worker housing component of the Village Commercial Center (building 7) or for the Vine Street Vineyard Hotel, the developer shall provide a site-specific noise analysis to demonstrate that outdoor use areas would be located and designed to achieve CNEL values of 65 dBA or less, and that structural insulation measures would result in hotel room interior CNEL values of 45 dBA or less. Such noise reduction measures may include but are not limited to, the incorporation of setbacks, sound barriers, berms, hourly limitations, or equipment enclosures. The emphasis of such noise reduction measures shall be placed upon site planning and project design. **Plan Requirements and Timing**. Site-specific noise analyses shall be submitted to the city for approval prior to building permit issuance for the worker housing component of the Village Commercial Center (building 7) and the Vine Street Vineyard Hotel. **Monitoring**. City staff shall confirm that noise reduction measures are incorporated in plans prior to approval of building permit issuance. City staff shall ensure compliance prior to building occupancy.	Class II (less than significant with incorporation of mitigation)
Impact N-2. The Project would result in temporary noise in the vicinity of the Project site during the construction phase. Construction noise levels could potentially exceed 80 dBA Leq. This impact would be Class II, potentially significant but mitigable.	**N-2 Construction Equipment Noise Best Management Practices** For all construction activities on the Project site, noise attenuation techniques shall be employed to ensure that noise levels are minimized. Such techniques shall include: ▪ Unless otherwise provided for in a validly issued permit or approval, noise-generating construction activities shall be limited to the hours of 7:00 AM and 7:00 PM. Noise-generating construction activities shall not occur on Sundays or federal holidays. ▪ Construction equipment shall be properly maintained and equipped with noise reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment-engine shrouds shall be closed during equipment operation. ▪ Equipment shall be turned off when not in use for an excess of five minutes, except for equipment that requires idling to maintain performance. ▪ Construction vehicles and haul trucks shall utilize roadways which avoid residential neighborhoods and sensitive receptors where possible. Applicants shall submit a proposed construction vehicle and hauling route for city review and approval prior to grading/building permit issuance. The approved construction vehicle and hauling route shall be used for soil hauling trips prior to construction as well as for the duration of construction. ▪ A public liaison shall be appointed for project construction and shall be responsible for addressing public concerns about construction activities, including excessive noise. The liaison shall work directly with the construction contractor to ensure implementation of the appropriate noise reduction measures to address public concerns and to ensure that construction-generated noise levels would not exceed commonly applied noise criteria at nearby noise-sensitive land uses (e.g., 80 dBA Leq). Signage shall be posted at the site perimeter identifying the public liaison's contact information. ▪ Temporary barriers shall be installed where noise-generating construction activities would occur within 50	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
	feet of an occupied noise-sensitive land use. Temporary noise barriers shall be constructed of sound curtains/blankets, wood, or material of similar density and usage, to a minimum height of 6 feet above ground level. ▪ Staging and queuing areas shall be located a minimum of 1,000 feet from nearby noise sensitive land uses identified in the project area at the time of construction (or at the furthest distance possible where a suitable location over 1,000 feet from noise sensitive land uses cannot be identified). ▪ Stationary equipment (e.g., generators, compressors) shall be located a minimum of 1,000 feet from nearby noise-sensitive land use identified in the project area at the time of construction (or at the furthest distance possible where a suitable location over 1,000 feet from noise-sensitive land uses cannot be identified). **Plan Requirements and Timing**. Construction plans including construction hours, truck routes, and construction BMPs shall be submitted to the city for approval prior to grading and building permit issuance for each project phase. BMPs shall be adhered to for the duration of the project. The schedule and neighboring property owner notification mailing list shall be submitted 10 days prior to initiation of any earth movement. **Monitoring**. City staff shall confirm that construction noise reduction measures are incorporated in plans prior to approval of grading/building permit issuance. City staff shall ensure compliance throughout all construction phases, including periodically inspecting the site for compliance with activity schedules and responding to noise complaints.	
Impact N-3. The Project would result in groundborne vibration in the vicinity of the Project site, primarily during the construction phase. Vibration levels during Project construction would not cause damage to nearby structures or substantially impact residents in nearby dwellings. This impact would be Class II, potentially significant but mitigable.	**N-3 Construction Equipment Vibration Best Management Practices** For all construction activities on the Project site, vibration attenuation techniques shall be employed to ensure that groundborne vibration levels are minimized. Vibration-minimizing techniques shall include: a. Unless otherwise provided for in a validly issued permit or approval, vibration-generating construction activities shall be limited to the hours of 7:00 AM and 7:00 PM. vibration-generating construction activities shall not occur on Sundays or federal holidays. b. Groundborne vibration levels near sensitive receptors shall be minimized by limiting the duration of compactor operation within 250 feet of sensitive receptors to a maximum of two hours per day. c. A public liaison shall be appointed for Project construction and shall be responsible for addressing public concerns about construction activities, including excessive groundborne vibration. The liaison shall work directly with the construction contractor to ensure implementation of the appropriate vibration reduction measures to address public concerns and to ensure that groundborne vibration levels would not exceed commonly applied vibration criteria at nearby sensitive land uses (e.g., 85 VdB). Signage shall be posted at the site perimeter identifying the public liaison's contact information. **Plan Requirements and Timing.** Construction plans shall note construction hours and vibration BMPs and shall be submitted to the city for approval prior to grading and building permit issuance for each Project phase. BMPs shall be identified and described for submittal to the city for review prior to building or grading permit issuance. BMPs shall be adhered to for the duration of the Project. The schedule and neighboring property owner notification mailing list shall be submitted 10 days prior to initiation of any earth movement.	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
	Monitoring. The city shall confirm that construction vibration reduction measures are incorporated in plans prior to approval of grading/building permit issuance. The city shall ensure compliance throughout all construction phases. Building inspectors and permit compliance staff shall periodically inspect the site for compliance with activity schedules and respond to complaints.	
Utilities/Service Systems		
Impact UTIL-2. While the city's WWTP has capacity to accommodate the Project, the existing sewer main lines that would receive wastewater flows from the Project have been identified as capacity deficient under existing and five-year peak loading conditions. Additionally, water softening systems commonly used in hotel development may result in adverse impacts to wastewater systems in the city. Therefore, Project impacts related to wastewater treatment and capacity would be Class II, potentially significant but mitigable.	**UTIL-2(a) Sewer Line Improvements** The Project shall contribute its equitable share to fund the following sewer main line improvements in the vicinity of the Project site, as identified in Table 11-1 – Capital Improvement Projects in the City's 2019 Wastewater Collection System Renewal Strategy and Master Plan. Costs above and beyond the Project's equitable share shall be addressed through such options as fee credits, reimbursement agreements, or development agreements, based on city requirements. Prior to building permit issuance for the first phase of development on the Project site, the applicant shall contribute their fair-share amount toward the upsizing of the 600 feet of 10-inch sewer main line along SR 46 West at the SR 46 West interchange with U.S. 101 and along Ramada Drive to a 12-inch sewer main line. Alternatively, prior to building permit issuance for the first phase of development on the Project site, the applicant shall be responsible for horizontal boring of a new sewer main under U.S. 101, directly from the eastern edge of the Project site to the vicinity of Firestone Walker Brewery. **Plan Requirements and Timing**. The fair share contribution for required improvements shall be submitted prior to building permit issuance for the first phase of development on the Project site. If the applicant is required to construct a new sewer main under U.S. 101, the new sewer main shall be completed prior to the issuance of a building permit for the first phase of Project development. **Monitoring**. The City shall ensure compliance with fee payment prior to first building permits. If the applicant is required to construct new sewer main under U.S. 101, City shall ensure completion of new sewer main prior to issuance of first building permits. **UTIL-2(b) Prohibit Water Softener Use** The use of self-generating or regenerative water softeners shall be prohibited for all Project-related development. **Plan Requirements and Timing**. This requirement shall be reflected on building plans. **Monitoring**. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. City staff shall ensure compliance in the field prior to issuance of occupancy permits.	Class II (less than significant with incorporation of mitigation)

Impact	Mitigation Measure (s)	Significance After Mitigation
Energy		
E-2. The project would not be consistent with the City's Climate Action Plan energy efficiency measures. This impact would be Class II, less than significant with mitigation incorporated.	Mitigation Measure GHG-1 described in Section 4.7, *Greenhouse Gas Emissions*, would require preparation of the GHG Emissions Reduction Plan for the Project to reduce operational GHG emissions through implementation of GHG reduction measures. Mitigation Measure AQ-3 in Section 4.3, *Air Quality*, would also offset the Project's operational energy demand by requiring that energy efficient appliances and on-site renewable energy systems be used in the proposed development on the Project site.	Class II (less than significant with incorporation of mitigation)
Class II Cumulative Impacts (Significant but Mitigable)		
Aesthetics		
Cumulative impacts to scenic resources and visual resources	Mitigation Measure AES-1 would apply.	Class II (less than significant with incorporation of mitigation)
Cumulative impacts to light and glare.	Mitigation Measure AES-3 would apply.	Class II (less than significant with incorporation of mitigation)
Biological Resources		
Cumulative impacts to biological resources.	Mitigation Measures BIO-1(a) through BIO-1(i), BIO-2(a) through BIO-2(b), BIO-3(a) through BIO-3(c), and BIO-4(a) through BIO-4(b) would apply	Class II (less than significant with incorporation of mitigation)
Cultural Resources		
Cumulative impacts to cultural resources.	Mitigation Measures CR-1(a), CR-1(b), and CR-3 would apply.	Class II (less than significant with incorporation of mitigation)
Hazards and Hazardous Materials		
Cumulative impacts to fire hazards.	Mitigation Measure HAZ-3 would apply.	Class III (less than significant)

Impact	Mitigation Measure (s)	Significance After Mitigation
Noise		
Cumulative traffic noise impacts.	Mitigation Measure N-1 would apply.	Class III (less than significant).
Cumulative construction and operational noise impacts.	Mitigation Measure N-2 would apply.	Class III (less than significant)
Class III Impacts (Less than Significant)		
Agricultural Resources		
Impact AG-3. The project would alter the existing land use and zoning on the project site. However, these alterations would be consistent with the general nature and pattern of development in the City of Paso Robles, and the County and City intentions with respect to maintaining open space and agricultural areas around the City. Therefore, this impact would be Class III, less than significant.	No mitigation measures are required.	Class III (less than significant)
Air Quality		
Impact AQ-4. The Project would not expose sensitive receptors to substantial concentrations of toxic air contaminants or naturally-occurring asbestos. Impacts would be Class III, less than significant.	No mitigation measures are required.	Class III (less than significant)

Impact	Mitigation Measure (s)	Significance After Mitigation
Cultural Resources		
Impact CUL-2. Ground-disturbing activities associated with development under the proposed project have the potential to disturb unidentified human remains. Impacts would be Class III, less than significant.	No mitigation measures are required.	Class III (less than significant)
Hazards and Hazardous Materials		
Impact HAZ-3. The Project would be located in an identified high fire hazard area, designated by the City and Cal Fire. Compliance with existing regulations pertaining to fire management would ensure potential impacts associated with wildland fire hazards would remain Class III, less than significant.	No mitigation measures are required.	Class III (less than significant)
Hydrology and Water Quality		
Impact HWQ-2. The Project would alter the existing drainage pattern and increase impervious surface area on the Project site. However, the Project would not result in an increase in post-development peak runoff from the Project site. Project impacts to existing drainage patterns would be Class III, less than	No mitigation measures are required.	Class III (less than significant)

Impact	Mitigation Measure (s)	Significance After Mitigation
significant.		
Impact HWQ-4. The Project would not place any uses that could result in the risk of releasing pollutants due to inundation in a flood hazard area, potential impacts due to flood hazards and water pollution as a result of flooding would be Class III, less than significant.	No mitigation measures are required.	Class III (less than significant)
Land Use/Planning		
Impact LUP-1. The Project does not include features or a development pattern that would divide an established community. This impact would be Class III, less than significant.	No mitigation measures are required.	Class III (less than significant)
Impact LUP-2. The Project would be consistent with all applicable City policies and Standards, LAFCO policies for annexation, and the land use strategy in SLOCOG's 2019 Regional Transportation Plan. This impact would be Class III, less than significant.	No mitigation measures are required.	Class III (less than significant)

Impact	Mitigation Measure (s)	Significance After Mitigation
Public Services		
Impact PS-1. The Project would increase the demand for fire protection services, such that new or expanded facilities would be needed to meet the city's standard response time and level of service standard. Potential impacts resulting from such new or expanded facilities would be speculative at this time due to uncertainty regarding the timing, design, and final precise location of the facilities.	No mitigation measures are required.	Class III (less than significant)
Impact PS-2. The Project would not impact police services such that new or expanded facilities would be required. Impacts to police protection services would be Class III, less then significant.	No mitigation measures are required.	Class III (less than significant)
Impact PS-3. Development of the Project site would increase the demand for schools such that new facilities and staff would be required to provide additional student capacity. Through the required payment of state-mandated impact mitigation fees, potential impacts to public schools would be Class III, less than significant.	No mitigation measures are required.	Class III (less than significant)

Impact	Mitigation Measure (s)	Significance After Mitigation
Impact PS-4. Potential new residents and visitors on the Project site would be accommodated by onsite resort and associated recreational amenities. The Project would also be required to pay city parkland development fees. Therefore, impacts to parks and recreational facilities would be Class III, less than significant.	No mitigation measures are required.	Class III (less than significant)
Impact PS-5. The Project would increase demand for library services such that new or expanded facilities would be needed to meet the city's service standard. However, potential impacts resulting from such new or expanded facilities would be speculative at this time due to uncertainty regarding the timing, design, and final precise location of the facilities.	No mitigation measures are required.	Class III (less than significant)
Transportation/Traffic		
Impact T-2. The Project would introduce new pedestrian and bicycle facilities in the Project area that would sufficiently accommodate multi-modal circulation and conform to the City's TIA Guidelines for safe and accessible	No mitigation measures are required.	Class III (less than significant)

Impact	Mitigation Measure (s)	Significance After Mitigation
connections to existing multi-modal circulation. Impacts would be Class III, less than significant.		
Impact T-3. The Project would provide adequate sight distances for all site access points. Therefore, the project's impact on hazardous design features and emergency access would be Class III, less than significant.	No mitigation measures are required.	Class III (less than significant)
Impact T-4. Under Cumulative + Project conditions, the Project would not worsen the current Levels of Service at any roadway segments or intersections in the study area. Therefore, the Project's contribution to cumulative impacts on the study area transportation system would be Class III, less than significant.	No mitigation measures are required.	Class III (less than significant)
Utilities/Service Systems		
Impact UTIL-1. The Project would increase City-supplied water use at the Project site by 144 AFY. This level of demand can be supported by the City's existing water supply sources. Therefore, impacts to water facilities and supply would be Class III, less than significant.	No mitigation measures are required.	Class III (less than significant)

Impact	Mitigation Measure (s)	Significance After Mitigation
Impact UTIL-3. The Project would implement structural SCMs and LID strategies to promote onsite infiltration, capture, and treatment of stormwater runoff. The project would not require or result in the relocation or construction of new or expanded stormwater drainage, electric power, natural gas, or telecommunications facilities. Impacts related to the construction of new or expanded City stormwater, electric power, natural gas, and telecommunications facilities would be Class III, less than significant.	No mitigation measures are required.	Class III (less than significant)
Impact UTIL-4. The Project would not result in exceedance of the Paso Robles Landfill permitted daily throughput or permitted total capacity, and would comply with all federal, state, and local regulations for solid waste. Therefore, impacts related to the solid waste would be Class III, less than significant.	No mitigation measures are required.	Class III (less than significant)

Impact	Mitigation Measure (s)	Significance After Mitigation
Energy		
Impact E-1. Project construction and operation would require temporary and long-term consumption of energy resources. However, the Project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. This impact would be Class III, less than significant.	No mitigation measures are required.	Class III (less than significant)
Class III Cumulative Impacts (Less than Significant)		
Agricultural Resources		
Cumulative impacts to conversion of agricultural land to non-agricultural uses.	No mitigation measures are required.	Class III (less than significant).
Geology/Soils		
Cumulative impacts related to geological hazards.	No mitigation measures are required.	Class III (less than significant).
Hazards and Hazardous Materials		
Cumulative impacts related to hazards and hazardous materials.	No mitigation measures are required.	Class III (less than significant).
Hydrology and Water Quality		
Cumulative impacts to hydrology and water quality.	No mitigation measures are required.	Class III (less than significant).
Land Use and Planning		
Cumulative impacts to land use and planning.	No mitigation measures are required.	Class III (less than significant).

Impact	Mitigation Measure (s)	Significance After Mitigation
Public Services		
Cumulative impacts to public services.	No mitigation measures are required.	Class III (less than significant).
Utilities/Service Systems		
Cumulative impacts to utilities and service systems.	No mitigation measures are required.	Class III (less than significant).

1 Introduction

This document is an Environmental Impact Report (EIR) that examines the potential effects of approving a Master Development Plan and constructing an associated hotel and commercial development project on an approximately 170-acre site in what is currently unincorporated San Luis Obispo County and proposed for annexation into the City of Paso Robles. The Paso Robles Gateway Project (Project) is described in detail in Section 2, *Project Description*. This Introduction describes: (1) the general background of the Project; (2) the purpose of and legal authority for the EIR; (3) the scope and content of the EIR; (4) lead, responsible and trustee agencies; and (5) the environmental review process required under the California Environmental Quality Act (CEQA).

1.1 Project Background

The Project site is currently located in San Luis Obispo County, outside of the City of Paso Robles Sphere of Influence (SOI).

The most recent update to the city's SOI was approved by the San Luis Obispo Local Agency Formation Commission (LAFCO) on February 21, 2013. The Project site was not included in the 2013 SOI update. However, the property was noted in the Memorandum of Agreement (MOA) between the City of Paso Robles and the County of San Luis Obispo at the time of the 2013 SOI update as a Special Area of Interest. This established the processes and procedures for future annexation of this area. The MOA described that "the City and property owners, in consultation with the County anticipate that a land use plan and EIR will be prepared in the near future."

A similar development was previously proposed for the Project site and adjacent land. That earlier proposal included similar land uses within a development envelope that was much the same as the current proposal. An EIR was initiated for the environmental review of the previous project, and an administrative draft EIR was produced for the City of Paso Robles in 2014. Both the previous project and the currently proposed Project require reconfiguration of the South Vine Street/State Route 46 (SR 46) West intersection, westward realignment of South Vine Street within and adjacent to the Project site, and the construction of a bridge to cross a drainage on the southern portion of the Project site.

Improvements to the United States Highway 101 (U.S. 101)/SR 46 West interchange, at the southeast corner of the Project site, were reviewed through a Project Study Report (PSR) conducted by the California Department of Transportation (Caltrans) in 2009. The environmental review for the Caltrans PSR included a Mitigated Negative Declaration (MND)/Environmental Assessment (EA), and a Finding of No Significant Impact (FONSI) was issued. The Caltrans project included the westward realignment of South Vine Street from its current location, so that it would cross the unnamed creek in the southern area of the Gateway property, and intersect SR 46West across from the existing intersection at Theater Drive. The realignment of South Vine Street would be facilitated by the proposed Gateway Project, although the details of the exact alignment are slightly different from the earlier Caltrans design.

A final right-of-way alignment and land dedication for the South Vine Street realignment has been certified in the Settlement Agreement entered into by the city, the Gateway Project applicant and

property owner (Quorum Realty Fund IV, LLC [Furlotti]), and CENCO Investments on August 2, 2016. This Settlement Agreement outlines the design, construction, and improvement obligations of the city, Furlotti, and CENCO for the completion of the South Vine Street improvements. Other actions prescribed in the Settlement Agreement involve a lot line adjustment (PR/COAL 18-0098) to convey 1.8 acres of the Furlotti property to CENCO and 2.1 acres of CENCO's property to Furlotti in order to facilitate the South Vine Street realignment.

1.2 Summary of Proposed Project

The proposed 170-acre Paso Robles Gateway Project (Annexation Permit No. ANX 16-001 and Planned Development Permit No. P17-0090) involves development of the following components or "areas": (1) a Vine Street Vineyard Hotel; (2) a Village Commercial Center; (3) a Hillside Premium Destination Resort Hotel; (4) a Promontory Commercial Center; (5a) Highway 46 Resort or (5b) 80 Multi-Family Residences with a Resort Overlay; (6) a Vine Street Commercial Center; and (7) +/- 98 acres of agriculture and open space uses. For the purposes of this EIR, it is assumed that area 5 will be developed with option 5b, with 80 multi-family resort residential units with a resort overlay. The Project includes a request for a Sphere of Influence (SOI) amendment and an annexation from the San Luis Obispo County into the City of Paso Robles, a Pre-Zoning application, a General Plan amendment, approval of a Master Development Plan, a Lot Line Adjustment (PR/COAL 18-0098), a Vesting Tentative Tract Map (TTM 3120), and approval of a Development Agreement.

1.3 Areas of Known Public Controversy

Section 15123 of the CEQA Guidelines states that an EIR shall identify areas of controversy known to the Lead Agency, including issues raised by the agency and the public. A Notice of Preparation (NOP) for the project was circulated from October 16, 2013 through November 14, 2013, a period of 30 days. A public scoping meeting was held at the Paso Robles Planning Commission meeting on November 12, 2013. Paso Robles received verbal and written comments. Although the Project description has changed slightly from the original concept, the City determined that the Project site location and environmental issues and, thus, overall impacts would be substantially the same under the current proposal. Therefore, a revised NOP was not warranted for the current Project. The CEQA-related comments from the scoping process have been incorporated into the analysis in the respective sections of this EIR.

1.4 Purpose and Legal Authority

Several of the Project's proposed actions: amendments to the General Plan, annexation of the site to the City of Paso Robles, a Development Agreement, and a Master Development Plan, are discretionary actions requiring approval of the City Council. The project also includes the property exchanges contemplated and agreed upon in the Settlement Agreement between the City of Paso Robles (City), Quorum Realty Fund IV, LLC (Furlotti), and CENCO Investments (CENCO), dated August 2, 2016. Therefore, the project is subject to the requirements of CEQA. In accordance with Section 15121 of the *CEQA Guidelines*, the purpose of this EIR is to serve as an informational document that:

> "...will inform public agency decision makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project."

This EIR is to serve as an informational document for the public and City of Paso Robles decision-makers. The process will culminate with Planning Commission and City Council hearings to consider certification of a Final EIR as well as the project's requested approvals.

Although the project includes a master development plan, this EIR contains a project-level environmental review that fulfills the requirement of a project-level EIR. As defined in *CEQA Guidelines* Section 15161, a project-level EIR:

> "…examines the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project including planning, construction, and operation."

Additional discretionary actions may be required for the development of individual areas identified in the Master Development Plan. The project-level analysis contained in this EIR is intended to facilitate streamlining of future environmental review for those discretionary actions.

1.5 Scope and Content of the EIR

In accordance with the *CEQA Guidelines*, a NOP for this EIR was distributed for review by affected agencies and the public on October 16, 2013. The NOP is presented in Appendix A of this EIR. Through the NOP and scoping process, the City of Paso Robles determined that there was no substantial evidence that the project would cause or otherwise result in significant environmental effects in the areas of Mineral Resources and Population/Housing. The substantiation for determining that effects related to these issues would result in no impact, or a less-than-significant impact is summarized in the Section 4.16, *Less than Significant Effects,* pursuant to Section 15128 of the *CEQA Guidelines*.

This EIR addresses the issues determined to be potentially significant based on responses to the NOP and scoping discussions among the public, consulting staff, and the city. The City of Paso Robles conducted an initial analysis of the proposed development's impacts through NOP and scoping process. The environmental issues addressed in impact sections in this EIR include:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural and Tribal Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials (including Wildfire)
- Hydrology and Water Quality
- Land Use Planning
- Noise
- Public Services and Recreation
- Transportation and Traffic
- Tribal Cultural Resources
- Utilities and Service Systems
- Energy

This EIR addresses the issues referenced above and identifies potentially significant environmental impacts, including site-specific and cumulative effects of the project in accordance with the provisions set forth in CEQA and the *CEQA Guidelines*. In addition, the EIR recommends feasible mitigation measures, where possible, that would reduce or eliminate adverse environmental effects.

An analysis of cumulative impacts, which gives consideration to other projects in the vicinity, are described in each resource section within Section 4, *Environmental Impact Analysis*. Cumulative project analyses represent an assessment of potential impacts on city resources using a list of past, present, and probable future projects capable of producing related or cumulative impacts. For some topics, regional projections based on population projections and regional planning efforts are used as the basis for analyzing cumulative effects.

Alternatives to the project, consistent with CEQA requirements, are considered to examine a reasonable range of approaches to minimize environmental impacts while achieving most of the project objectives. The alternatives to the project are evaluated in Section 5, *Alternatives,* of this EIR.

In preparing the EIR, use was made of pertinent city policies and guidelines, existing EIRs and background documents prepared by the city, and documents that guide land use in the city. A full reference list is contained in Section 7, *References*, of this EIR.

The level of detail contained throughout this EIR is consistent with the requirements of CEQA and applicable court decisions. The *CEQA Guidelines* provide the standard of adequacy on which this document is based. Section 15151 of the *CEQA Guidelines* states:

> "An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure."

1.6 Lead, Responsible, and Trustee Agencies

The *CEQA Guidelines* define "lead," "responsible" and "trustee" agencies. The City of Paso Robles is the lead agency for the project because it has the principal responsibility for approving the project. Discretionary approval of the project (including acquisition of the Project site) is vested with the Paso Robles City Council.

A "responsible agency" refers to public agencies other than the "lead agency" that have discretionary approval over the Project. San Luis Obispo LAFCO would be the responsible agency for annexation of the Project site to the city. The County of San Luis Obispo must also enter into an agreement with the city regarding the annexation. Caltrans would be a responsible agency for any improvements on U.S. 101, and would also have to approve an encroachment permit for the construction of the intersection improvements at South Vine Street and SR 46W. The California Department of Fish and Wildlife (CDFW) would be a responsible agency for any necessary permits for the protection of biological resources and wetlands. Other responsible agencies include the Regional Water Quality Control Board (RWQCB) for Section 401 Water Quality Certification and the National Pollutant Discharge Elimination System (NPDES) Storm Water Permit.

A "trustee agency" refers to a state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California. CDFW has jurisdiction over biological resources, including waters of the State and rare and endangered plant species, which may be affected by Project development and is, therefore, also a trustee agency.

1.7 Environmental Review Process

The environmental impact review process, as required under CEQA, is outlined below. The steps are presented in sequential order.

1. **Notice of Preparation.** Immediately after deciding that an EIR is required, the lead agency must file a NOP soliciting input on the EIR scope to "responsible," "trustee," and involved federal agencies; to the State Clearinghouse, if one or more state agencies is a responsible or trustee agency; and to parties previously requesting notice in writing (*CEQA Guidelines* Section 15082; Public Resources Code Section 21092.2). The NOP must be posted in the County Clerk's office for 30 days.
2. **Draft Environmental Impact Report.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) discussion of significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) alternatives; g) mitigation measures; and h) discussion of irreversible changes.
3. **Public Notice and Review.** A lead agency must prepare a Notice of Availability of an EIR. Upon completion of the Draft EIR, the Notice must be placed in the County Clerk's office for 30 days (Public Resources Code Section 21092). The lead agency must send a copy of its Notice to anyone requesting it (*CEQA Guidelines* Section 15087). Additionally, public notice of DEIR availability must be given through at least one of the following procedures: (a) publication in a newspaper of general circulation; (b) posting on and off of the project site; or (c) direct mailing to owners and occupants of contiguous properties. The lead agency must consult with and request comments on the Draft EIR from responsible and trustee agencies, and adjacent cities and counties (Public Resources Code Sections 21104 and 21253). The minimum public review period for a Draft EIR is 30 days. When a DEIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless a shorter period is approved by the Clearinghouse (Public Resources Code 21091).
4. **Final EIR.** A Final EIR must include: (a) the DEIR; (b) copies of comments received during public review; (c) a list of persons and entities commenting; and (d) responses to comments.
5. **Final EIR Certification.** Prior to approving a project, the lead agency must certify that: (a) the Final EIR has been completed in compliance with CEQA; (b) the Final EIR was presented to the decision-making body of the lead agency and that the lead agency considered the information in the Final EIR; and c) the Final EIR reflects the lead agency's independent judgment and analysis (*CEQA Guidelines* Section 15090).
6. **Lead Agency Decision.** A lead agency may: (a) disapprove a project because of its significant environmental effects; (b) require changes to a project to reduce or avoid significant environmental effects; or (c) approve a project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (*CEQA Guidelines* Sections 15042 and 15043).
7. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead or responsible agency must find, based on substantial evidence, that either: (a) the project has been changed to avoid or substantially reduce the magnitude of the impact; (b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or (c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (*CEQA Guidelines* Section 15091). If an

agency approves a project with unavoidably significant environmental effects, it must prepare a written Statement of Overriding Considerations that set forth the specific social, economic or other reasons supporting the agency's decision.

8. **Mitigation Monitoring/Reporting Program.** When a lead agency makes findings on significant effects identified in a Final EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.

9. **Notice of Determination.** The lead agency must file a Notice of Determination after deciding to approve a project for which an EIR is prepared (*CEQA Guidelines* Section 15094). A local agency must file the Notice with the County Clerk. The Notice must be posted for 30 days and sent to anyone previously requesting notice. Posting of the Notice starts a 30-day statute of limitations on CEQA challenges (Public Resources Code Section 21167[c]).

2 Project Description

2.1 Summary

The proposed 170-acre Paso Robles Gateway Project (Annexation Permit No. ANX 16-001 and Planned Development Permit No. PD 17-0090) involves development of the following components or "areas": (1) a Vine Street Vineyard Hotel; (2) a Village Commercial Center, including workforce residential units; (3) a Hillside Premium Destination Resort Hotel; (4) a Promontory Commercial Center; (5a) Highway 46 Resort or (5b) 80 Multi-Family Residences; (6) a Vine Street Commercial Center; and (7) +/- 98 acres of agriculture and open space uses. For the purposes of this EIR, it is assumed that area 5 will be developed with option 5b, with 80 multi-family resort residential units with a resort overlay. The Project includes a request for a Sphere of Influence (SOI) amendment and an annexation from the County of San Luis Obispo into the City of Paso Robles, a Pre-Zoning application, a General Plan amendment, approval of a Master Development Plan, a Lot Line Adjustment (PR/COAL 18-0098), a Vesting Tentative Tract Map (TTM 3120), and approval of a Development Agreement.

2.2 Project Applicant

Quorum Realty Fund IV
P.O. Box 862
Ross, California 94957

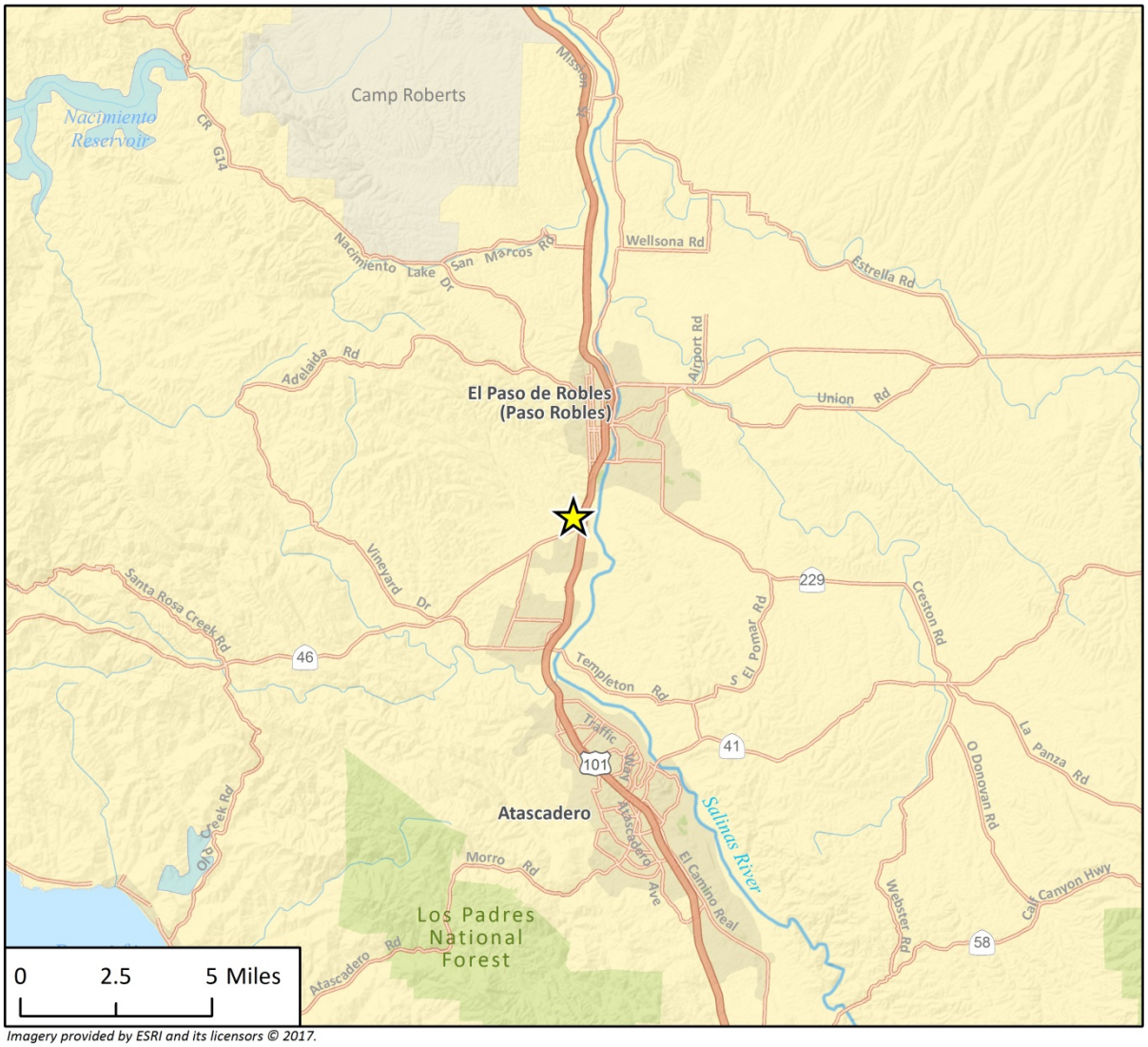
2.3 Lead Agency Contact Person

Darren Nash, City Planner
City of Paso Robles, Community Development Department
1000 Spring Street
Paso Robles, California 93446
(805) 237-3970

2.4 Project Location

The Project site is currently located in the unincorporated area of the County of San Luis Obispo (County) and consists of approximately 170 acres adjacent to the southwest edge of the Paso Robles city limits. The Project area is generally located to the northwest of the interchange of United States Highway 101 (U.S. 101) and State Route 46 (SR 46) West. South Vine Street borders the site to the east. Figure 2-1 shows the regional location of the Project site in southern Paso Robles. Figure 2-2 shows the Project site boundary.

Figure 2-1 Regional Location



Imagery provided by ESRI and its licensors © 2017.

Project Location

N

Fig 1 Regional Location

Figure 2-2 Project Location

Imagery provided by Microsoft Bing and its licensors © 2020.

Fig 2 Project Location

2.5 Land Use and Regulatory Setting

2.5.1 Current Land Use and Zoning

The Project site is currently located in San Luis Obispo County with General Plan land use categories of Residential Suburban (RS) and Agriculture (AG). While the Project site falls outside of the Paso Robles city limits, the site is in the city's General Plan Planning Impact Area, and included in the area covered by the city's Purple Belt Action Plan and the Paso Robles Gateway Plan: Design Standards. Existing and past use of the Project site includes intermittent grazing and a non-irrigated almond orchard, which is not in commercial production. There are currently seven private groundwater wells on the Project site. Four of the on-site wells are old wells that previously supplied domestic and irrigation water. Another one of the on-site wells does not have a pump. In recent years, the two remaining wells have been used to provide irrigation for off-site vineyards and on-site pasture for cattle grazing. The Project site consists of the following Assessor Parcel Numbers (APN) 040-031-001, 040-031-017, 040-031-019, 040-031-020, 040-091-039, and 040-091-041. APNs 040-031-017, 040-031-019, and 040-031-020 are located within the Paso Robles Urban Reserve Line (URL). The County Land Use Element establishes URLs for 11 cities and unincorporated communities inland of the Coastal Zone in San Luis Obispo County. The URL is a boundary separating urban/suburban land uses and rural land uses and defines growth areas for which the County, or the County and affected city, will actively coordinate plans, policies, and standards for orderly development of urban areas in the County.

2.5.2 Proposed Land Use and Zoning

The proposed Project entitlements include an amendment to the city's SOI, which must be approved by the San Luis Obispo County Local Agency Formation Commission (LAFCO); and an Annexation to the City of Paso Robles Master Development Plan and VTTM a General Plan Amendment and Pre-Zoning the property to allow the proposed uses. The existing County land use categories and proposed City land use designations for each Project area are identified in Table 2-1. The proposed land use plan for the Project is shown in Figure 2-3.

The Project applicant requests city approval and initiation of the SOI amendment with LAFCO, and entering into a Memorandum of Agreement with the County of San Luis Obispo as part of the annexation process. Adoption of a General Plan Amendment is also required to amend the land uses designations consistent with the Pre-Zoning application to allow development of future land uses. A Development Agreement between the city and the Developer is proposed to be executed concurrently with the certification of this EIR and approval of Pre-Zoning and a General Plan Amendment.

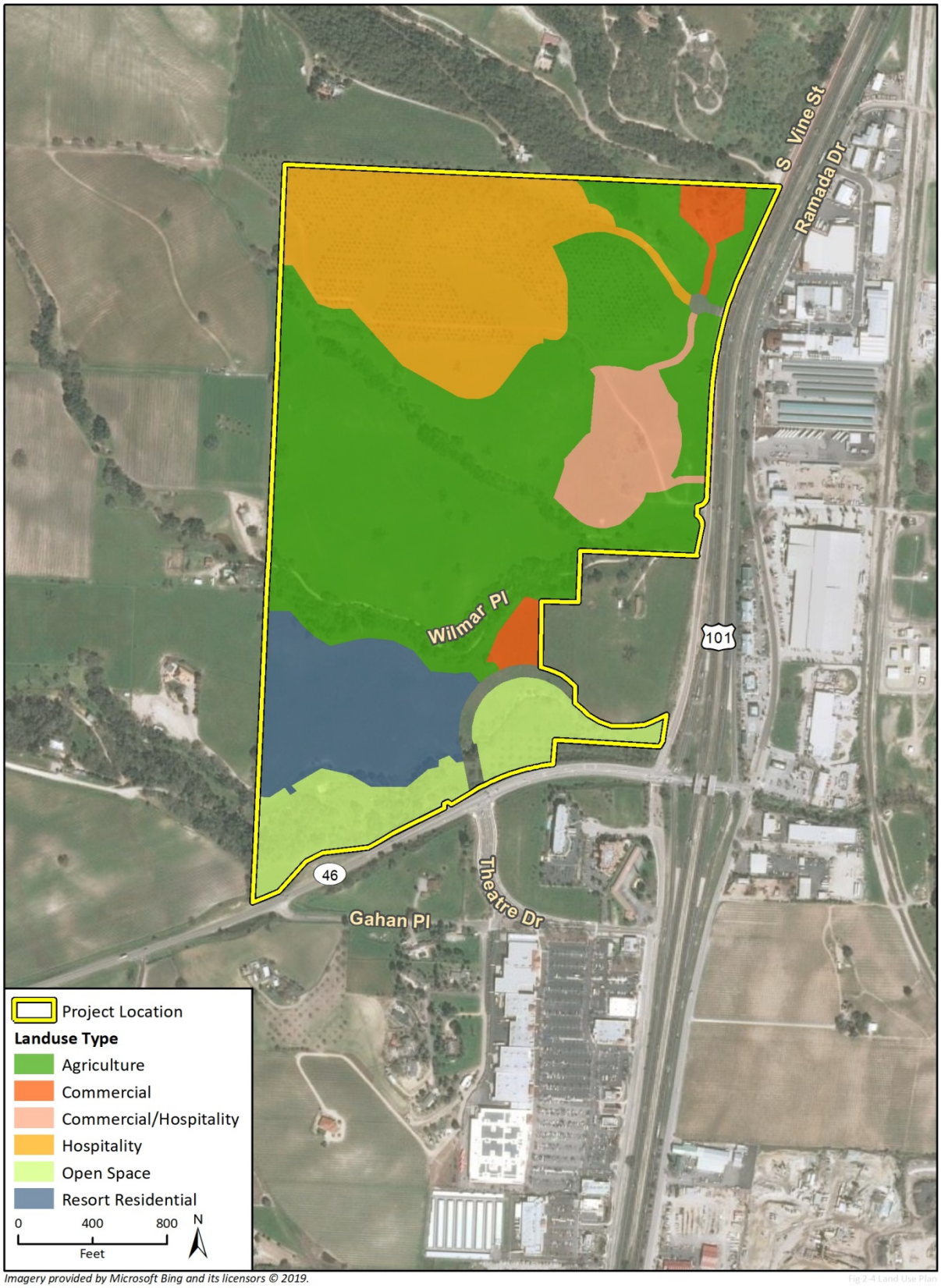
The Project also would require approval of a Lot Line Adjustment, a Vesting Tentative Tract Map and Conditional Use Permit, and Planned Development Permit for the overall Project site plan. Subsequent use permit applications will be reviewed by the city for each phase of the project.

This EIR is intended to serve as the CEQA documentation for the city, LAFCO, and County actions described above. Development of individual phases within the Project will be reviewed by the city as future applications are submitted. At that time, the city may determine that conditions and details of the Project have not changed and that the analysis and conclusions in this EIR continue to apply to a specific development phase of the Project. The city may also determine that it is necessary to prepare additional analysis under CEQA to document the conditions or Project details applicable to the particular development phase.

Table 2-1 Project Components

Area	Component	Existing County Land Use Category	Proposed City Land Use Designation	Description
1	Vine Street Vineyard Hotel	RS-Residential Suburban; AG-Agriculture, FL-Flood Hazard	Regional Commercial (RC)	4.5 acres, 76,000 square feet, 100 rooms, conference room and pool, 84 parking spaces
2	Village Commercial Center	RS-Residential Suburban; AG-Agriculture, FL-Flood Hazard	Regional Commercial (RC)	6.5 acres, 37,100 square feet; including: 18,200 square feet of retail area, 2 restaurants totaling 5,600 square feet, 3,800 square feet of office area, 17 workforce residential units in conjunction with retail uses and 159 parking spaces
3	Hillside Hotel	AG-Agriculture, FL-Flood Hazard	Regional Commercial (RC)	36 acres, 200,000 square feet; up to 225 rooms, 5,000 square feet of restaurants, 7,000 square foot spa, a 20,000 square foot administrative back house, and 581 parking spaces
4	Promontory Commercial Center	RS-Residential Suburban	Regional Commercial (RC)	2.5 acres, 24,000 square feet commercial and office uses, 73 parking spaces
5a	Highway 46 Resort	AG-Agriculture	Regional Commercial (RC)	19 acres, 135,000 square feet, 100 rooms, main lodge (ballroom, conference room, and restaurant), poolside café/bar, foot spa, conference room, outdoor event area, pool, 165 parking spaces
5b	Multi-Family with Resort Overlay	AG-Agriculture	Residential Multiple Family (RMF)	19 acres, A maximum 80 residences that may be used as multi-family residences.
6	Vine Street Commercial	AG-Agriculture	Regional Commercial (RC)	1.6 acres, 22,000 square feet commercial and office uses, 66 parking spaces
7	Agriculture and Open Space	RS-Residential Suburban	Agriculture (AG)	+/- 98 acres agriculture and open space uses. Approximately 82.1 acres would remain in agriculture and agriculture production (e.g., vineyards and orchards), and approximately 16.6 acres would remain in open space.

Figure 2-3 Land Use Plan



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Additional data provided by MVE Architects, 2018.

Fig 2-4 Land Use Plan

2.5.3 Surrounding Land Uses

The Project site is bounded by SR 46 West on the south, South Vine Street (frontage road) and U.S. 101 on the east, and scattered vineyard and residential uses on the north and west. The Paso Robles city limits border the property generally on its, eastern side.

Existing uses surrounding the site area are as follows:

- **North and West:** Scattered vineyard and residential uses are located to the north and west of the Project site. These uses are located on unincorporated lands within the County of San Luis Obispo, and are in the County's Residential Rural and Agricultural land use categories.
- **South:** The land south of the Project site, across SR 46 West, is in the County unincorporated area, but within the Paso Robles URL. This land is in the Suburban Residential and Agricultural land use categories, and is currently developed with approximately 12 rural and agricultural lots and houses. Three existing hotels are located to the southeast of the Project site and south of SR 46 West, within the City of Paso Robles and include the Hampton Inn and Suites, La Bellasera Hotel, and the River Lodge Motel. In April and June of 2018, the City Council approved two additional hotels, Hotel Alexa and Hyatt Place, in this area. South of the hotels is a regional commercial shopping center containing Target and other retail stores and restaurants within the Paso Robles city Limit.
- **East:** There are three parcels generally located at the southeast corner of the Project site and northwest of the intersection of U.S. 101 and SR 46 West. This corner area (approximately 14 acres) is commonly referred to as the "CENCO" property, and is described further in Section 2.6 below. The CENCO property is zoned for commercial highway development, with a Residence Inn by Marriott planned for development on the property. A mixed industrial commercial development and the Union Pacific Railroad tracks are located further to the east of the Project site, across South Vine Street and U.S. 101, in an area zoned Industrial, with land use designations of Business Park (BP) and Commercial Service (CS)..

2.6 Project Characteristics

The Project includes a request for a SOI amendment and annexation from the County of San Luis Obispo into the City of Paso Robles, a Pre-Zoning application, a General Plan amendment, a Planned Development Permit, a Lot Line Adjustment (PR/COAL 18-0098), a Vesting Tentative Tract Map (TTM 3120), and a Development Agreement. Future applications will include individual Conditional Use Permits or Planned Development applications, as appropriate, for the individual Projects.

The Project would involve development of two or three distinct hotels and associated commercial centers, +/- 98 acres of agricultural use (vineyards) and open space uses, and the right-of-way and construction of the South Vine Street realignment through the property, including construction of a bridge over a drainage on the southern portion of the property. The Project would include up to 425 transient occupancy units, a maximum of 80 which may be permitted as multi-family residential units (resort community), approximately 56,700 square feet (sf) of retail and office space with 17 workforce residential units in conjunction with the retail uses, 10,600 sf of restaurant uses, and over 30,000 sf of conference space. Internal roadways and infrastructure (water, sewer, utilities, etc.) to serve the proposed development, project signage, drainage basins and other drainage improvements, buffers, landscaping, passive recreation areas, water storage/recharge facilities, and retaining walls may traverse or be located within the agriculture and open space area as well as the other proposed development areas.

Four new commercial entry drives would provide access to the commercial and residential areas from South Vine Street. An additional driveway would provide secondary access from area 5a/5b to South Vine Street. Figure 2-4 shows the proposed site plan for the Project. A description of each of the Project components is provided in Table 2-1. Figure 2-5 through Figure 2-7 provide conceptual visualizations of various Project components from surrounding areas.

As proposed in the Finding of No Significant Impact (FONSI) adopted by the California Department of Transportation (Caltrans), the alignment of South Vine Street will be shifted towards the west in a broad "S" curve to meet SR 46 West at the existing Theater Drive intersection. This alignment of South Vine Street was identified as "Alternative 2" in the Initial Study with Mitigated Negative Declaration prepared by Caltrans for the U.S. 101/State Route 46 West Interchange Modification Project (Caltrans December 2009: Figure 1.3-2). The Caltrans alignment of South Vine Street will cross the southern half of the corner parcel that is outside the southeast portion of the Project.

The realigned South Vine Street will cross the small drainage course just north of SR 46 West. The city has prepared an alternative bridge design to include a shorter 165-foot-long free-span bridge that will be less expensive to complete than the 220-foot long free-span bridge originally proposed by Caltrans. Since the environmental impact of the bridge crossing location using the original bridge was studied, this EIR includes an analysis of the relative effect on resources of both bridge options.

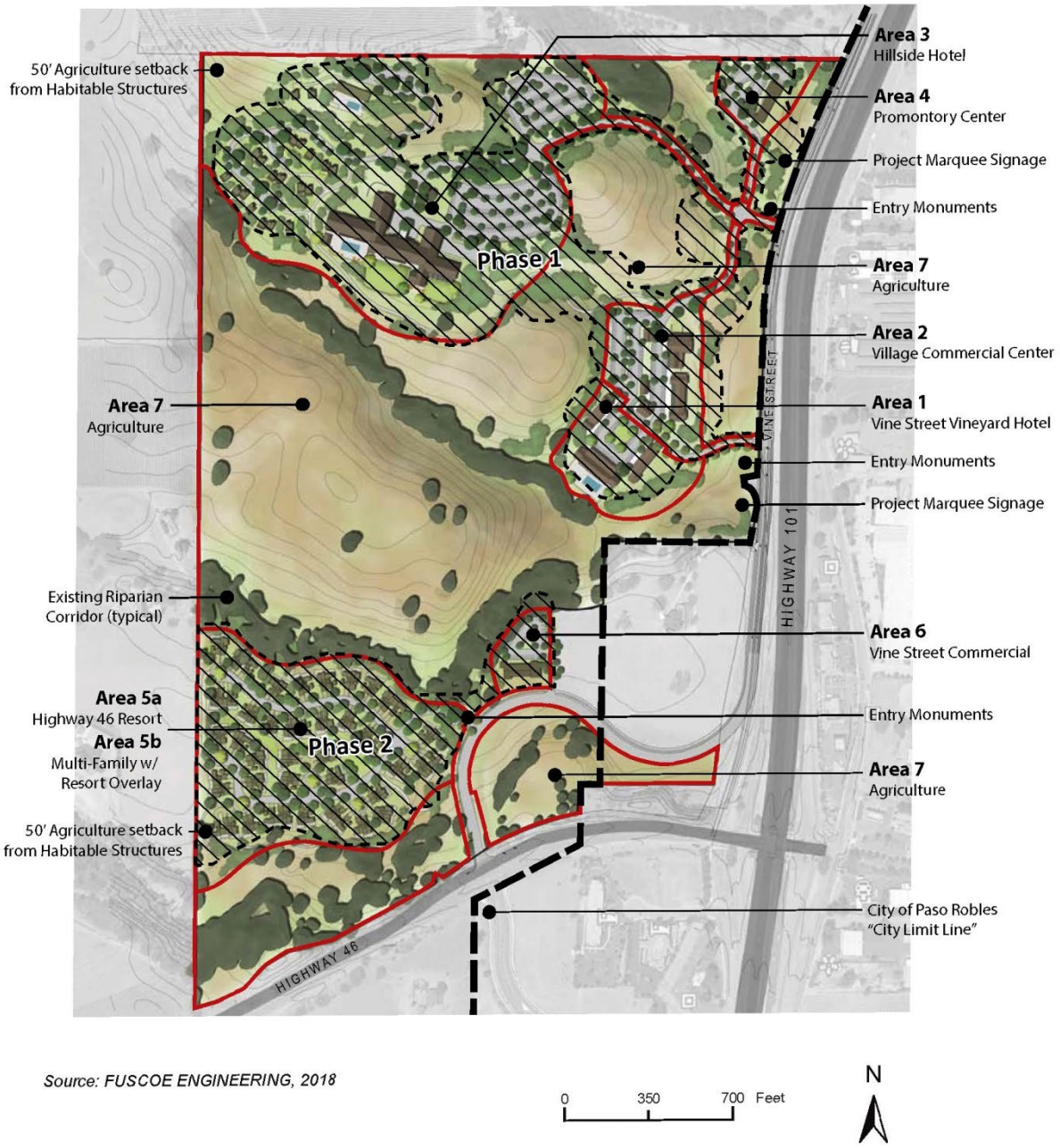
A final right-of-way alignment and land dedication is described in a Settlement Agreement entered into by the City of Paso Robles, Quorum Realty Fund IV, LLC (Furlotti) and CENCO Investments in August of 2016. This Settlement Agreement outlines the design, construction, and improvement obligations of various parties (City of Paso Robles, Quorum, CENCO) for the completion of the Vine Street Improvements. This agreed alignment is based on the Caltrans "Alternative 2" but is slightly adjusted to shift the "S" curve to the south, and includes the 165-foot long free-span bridge that the city has designed. This EIR includes an analysis of the relative effect on resources of both alignment options.

Other actions prescribed in the Settlement Agreement involve a lot line adjustment (PR/COAL 18-0098) to convey 1.8 acres of the Furlotti property to CENCO and 2.1 acres of CENCO's property to Furlotti in order to facilitate the Vine Street realignment. Upon recordation of the lot line adjustment, and as part of the entitlement applications, a Vesting Tentative Tract Map (TTM 3120) to subdivide the property into 13 development lots and four separate road lots will be processed.

Grading

Grading would occur throughout the Project site in each of the areas proposed for development. The preliminary grading plans divide the northern and southern portions of the Project site into two distinct areas: Gateway North and Gateway South. Total site disturbance for Gateway North is approximately 42 acres requiring approximately 190,600 cubic yards of cut and 227,600 cubic yards of fill. Total site disturbance for Gateway South is approximately 18 acres, requiring approximately 105,180 cubic yards of cut and 62,300 cubic yards of fill. To achieve a net import/export balance of soil, approximately 50,000 cubic yards of material would be retrieved from an on-site borrow area located within the development footprint for Gateway South. All excavation components would be required to comply with Municipal Code 20.16, including applicable height limits and cut/fill slope requirements.

Figure 2-4 Conceptual Project Site Plan and Phasing Plan



Source: FUSCOE ENGINEERING, 2018

Fig 2-5 Phasing Plan

Figure 2-5 Conceptual Project Visualizations

Visualization 1. Conceptual view of the proposed Vine Street Vineyard Hotel, facing west from the U.S. 101 and South Vine Street interface.

Visualization 2. Conceptual view of the proposed Village Commercial Center, facing northwest from the U.S. 101 and South Vine Street interface.

Figure 2-6 Conceptual Project Visualizations

Visualization 1. Conceptual view of the proposed Hillside Hotel, facing northwest.

Visualization 2. Conceptual view of the proposed Hillside Hotel, facing east.

Figure 2-7 Conceptual Project Visualizations

Visualization 1. Conceptual view of the proposed Vine Street Commercial, facing north.

Visualization 2. Conceptual view of the proposed Multi-family with Resort Overlay component, facing west.

Construction Phasing/Timing

The Project would be developed incrementally and development of the site would be staged and driven by economic and market demands, with Project buildout anticipated to occur over a 15-year period, from 2020 to 2035. The first phase is anticipated to include the Vine Street realignment as well as construction of the Vine Street Vineyard Hotel, Village Commercial Center, Hillside Hotel, and the Promontory Commercial Center. The second phase would include the Vine Street Commercial, and either the Highway 46 Resort alternative (area 5a) or the Multi-Family Residential with Resort Overlay alternative (area 5b). Figure 2-4 shows the general phasing plan for the Project. More details related to Project phasing are described throughout the EIR where phasing relates to implementation of required Project mitigation.

2.7 Project Objectives

Based on a review of city policies, zoning code requirements, and applicable city design standards and other plans, the objectives for the Paso Robles Gateway Project are as follows:

- Provide an attractive entrance into the wine country portion of the city from SR 46 West, and create a destination resort with conference facilities as a gateway entry feature in south Paso Robles, consistent with the "Town and Country Gateways" as defined in the city's Gateway Design Plan;
- Facilitate the realignment of South Vine Street by the city by providing the entire right-of-way and funding for construction of a portion of the realignment of South Vine Street in order to eliminate conflicts for traffic leaving and entering U.S. 101 at SR 46 West, implement the city's Circulation Element, and reduce congestion and vehicle emissions at the U.S. 101/SR 46 West interchange;
- Implement the city's Purple Belt Action Plan in the southwestern portion of the city by designating agricultural and open space areas along the western boundary of the Project site, and by locating tourist-serving and commercial uses along the South Vine Street and U.S. 101 corridor;
- Implement city General Plan goals related to achieving a small town character, high quality of life and balanced community through the planned development of a mixed use project with hotel and visitor facilities, optional limited residential uses, commercial uses serving visitors and community residents, workforce housing, and agricultural/recreation/open space uses;
- Ensure that city services are maintained at their current levels by requiring new development to provide improvements (including completion of the South Vine Street realignment project by the city in accordance with the Pre-Annexation and Development Agreement) and funding as necessary; and
- Develop uses that will contribute to the long term financial well-being of the City through collection of revenues through Transit Occupancy Tax.

2.8 Required Approvals

The Project requires approval of a Master Development Plan and a Planned Development permit by the City of Paso Robles, which is a discretionary action by the City Planning Commission. The following entitlement and approvals would also be required to implement the Project:

- Annexation to the City of Paso Robles
- SOI and General Plan amendments
- Pre-Zoning
- Development Agreement, including right-of-way and funding for South Vine Street realignment and bridge construction
- Master Development Plan
- Vesting Tentative Tract Map
- Lot Line Adjustment/parcel map(s)
- Community Facility District

Other public agencies whose approvals are required for the Project include:

- LAFCO – Annexation
- County of San Luis Obispo – Annexation
- Caltrans – review for any improvements effecting Caltrans right-of-way on SR 46 West and U.S. 101
- United States Army Corps of Engineers – Nationwide or Individual permit (depending on total acreage of wetland disturbance)
- California Department of Fish and Wildlife (CDFW) – Streambed Alteration Agreement
- Central Coast Regional Water Quality Control Board (RWQCB) – Section 401 Water Quality Certification, National Pollutant Discharge Elimination System Permit

After approval of the overall Master Development Plan/Planned Development permit, a number of subsequent approvals would be necessary by the city for implementation of the Project. These include approvals of use permits or Planned Developments for phases of the Project. Related approvals for implementation of the Project may also include encroachment permits for work within the city rights-of-way for street and utility improvements, and grading and building permits for development of the Project itself. This EIR is intended to cover all of those subsequent approvals by the city necessary for implementation of the Project. If any of the improvements associated with this Project extend into the Caltrans right-of-way, then an encroachment permit would be necessary from Caltrans.

The City of Paso Robles is enrolled in the Phase II Municipal Storm Water Program as required by the State Water Resources Control Board. As part of this program, the Project would be required to prepare a Storm Water Pollution Prevention Plan and obtain coverage under the current statewide General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (SWRCB Order No. 2012-0006-DWQ, NPDES No. CAS000002, or more current order). In addition, the Project is subject to applicable Post Construction Storm Water Management Requirements, adopted by the Regional Water Quality Control Board (RWQCB Resolution R3-2013-0032), which are implemented through preparation and approval of a Storm Water Control Plan by the city.

3 Environmental Setting

This section provides a general overview of the environmental setting for the proposed project. Specific description of the setting in each of the environmental issue areas being studied in this Environmental Impact Report (EIR) can be found in the relevant chapters of Section 4, Environmental Impact Analysis.

3.1 Regional Setting

The City of Paso Robles (city) encompasses approximately 19.9 square miles in northern San Luis Obispo County and has an estimated population of 31,244 residents (California Department of Finance [DOF] 2019). The city is located on the Salinas River, approximately 25 miles north of the City of San Luis Obispo and approximately 91 miles southeast of the City of Salinas. The unincorporated community of Templeton is located approximately 5 miles to the south, and unincorporated community of San Miguel is located approximately 8 miles to the north.

Most areas of the city are located within the Paso Robles Creek and Huerhuero Creek watershed). The Paso Robles Creek watershed is an extensive watershed that covers approximately 143,654 acres ("Lower Salinas – Paso Robles Creek Area"). The Huerhuero Creek watershed includes approximately 103,496 acres ("Huerhuero Creek"). Both watersheds flow to the Salinas River and finally to the Pacific Ocean. The Project site itself is located at the southwest edge of the city, in the San Luis Obispo County unincorporated area, within the Neals Spring and Golden Hill subwatersheds of the Paso Robles Creek watershed.

The City of Paso Robles experiences a Mediterranean climate, which provides a wet season in winter and dry season in the summer (United States Department of Agriculture [USDA] 1983). In winter, the average temperature is 48 degrees Fahrenheit (°F) and the average daily minimum temperature is 34 °F. In the summer the average temperature is 70 °F and the average daily maximum temperature is 91 °F (USDA 1983). Rainfall averages 14.9 inches per year, with most rainfall occurring between late October and early April.

3.2 Project Site Setting

The Project site is located within the unincorporated area of San Luis Obispo County, adjacent to the southwest edge of the Paso Robles city limits. The Project site is located at the northwestern corner of the intersection of United States Highway 101 (U.S. 101) and State Route (SR) 46 West. The Project site is characterized by rolling topography comprised of grasslands, oak woodlands, and intermittent drainages. The Project site is currently undeveloped and is used for cattle grazing. The northern portion of the property contains almond orchards that have not been maintained for approximately 30 years. There are currently seven private groundwater wells on the Project site. Four of the on-site wells are old wells that previously supplied domestic and irrigation water. Another one of the on-site wells does not have a pump. In recent years, the two remaining wells have been used to provide irrigation for off-site vineyards and on-site pasture for cattle grazing. The Project site is in a transitional land use area, with developed commercial uses to the south and east, across SR 46 West and U.S. 101, respectively. To the north and west, the land is subdivided into rural lots of approximately 10 to 20 acres in size.

Mapped geologic units on the Project site include the Paso Robles Formation, Quaternary older alluvium, and Quaternary alluvium underlain in some areas by the Monterey Formation. The Project area is located where the traditional tribal territory of the Obispeño Chumash transitions to the territory of the Salinan. Three houses, one dated to 1890 and two others dated to the 1950s, were located on the eastern edge of the Project site, but were demolished in 2007 and 2008.

3.3 Cumulative Development

As defined in Section 15355 of the State CEQA Guidelines, a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. Cumulatively considerable impacts occur when the incremental effects of a particular project or program are significant when viewed in connection with the effects of other past, current, or probable future projects or programs. According to Section 15130 of the State CEQA Guidelines, the discussion of cumulative impacts must reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by standards of practicality and reasonableness and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects that do not contribute to the cumulative impact. Impacts that do not result in part from the project evaluated in the EIR need not be discussed.

The impact sections of this EIR discuss the potential cumulative environmental impacts resulting from the proposed project in association with other planned, pending, and reasonably foreseeable projects in the vicinity of the project area.

The State CEQA Guidelines allow for the use of two different methods to determine the scope of projects for the cumulative impact analysis:

- **List method.** A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency (Section 15130).
- **General Plan projection method.** A summary of projections contained in an adopted General Plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact (State CEQA Guidelines Section15130). In accordance with State CEQA Guidelines Section 15130, the scope of projects for cumulative impact analysis can include a summary of projections contained in an adopted General Plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact.

In order to assess cumulative impacts, this EIR uses the list method. A list of past, present, and probable future projects is shown in Table 3-1. As shown, cumulative buildout in the city could result in approximately 4,455 new dwelling units and 2,298,421 square feet of new non-residential space. For specific issues, information from the City General Plan or from other city documents is used to help assess the project's influence on cumulative effects. As an example, the city's Urban Water Management Plan incorporates projections of future population and other uses for purposes of anticipating and planning for future water needs. Information from this and other plans is used throughout this EIR for the evaluation of project and cumulative impacts.

Table 3-1 Cumulative Projects List

Project Description	Primary Use Type	Dwellings	Beds	Commercial/ Industrial SF	Hotel Rooms	RV Spaces
Erskine GPA/Rezone Hwy 46 & Paso Robles Blvd	Mixed Commercial/ Industrial			250,000		
Beechwood Specific Plan (concept Site Plan)	Specific Plan	915		64,000		
Homewood Suites Dallons Dr.	Transient Lodging			73,590	105	
Black Oak Lodge Hotel	Transient Lodging			60,000	96	
Hyatt Place 2 - Alternative Project (City parcel)	Transient Lodging			77,000	131	
Golden Hill Storage Mixed Use Rezone	Mixed Use	3				
Golden Hill res care	Medical		125	140,000		
Paso Vista Resort	Transient Lodging	2		30,000	226	
Olsen/South Chandler Ranch Project	Specific Plan	1,293		39,135		
(pre-application) N. Chandler Ranch Vineyard Proposal	Specific Plan	300				
Justin Vineyards Wine Storage Warehouse (Building 3)	Commercial/Industrial			102,000		
Vintner's Vault – New wine processing/storage/retail building	Commercial/Industrial			56,000		
Firestone Solar Generation Facility	Commercial/Industrial					
Spring Street Village (Jeffrey PD)	Residential	42				
Hotel Cheval Phase 2	Transient Lodging			15,625	20	
Hotel Alexa	Transient Lodging			23,765	38	
Oak Park 4 - PD Amendment/fee deferral agreement	Residential	75				
Truck Accessory Sales and Installation Facility	Commercial/Industrial			4,950		
River Oaks - The Next Generation - 2 GPA/SPA/CEQA/WSE	Specific Plan	271				
Erskin Industrial GPA/map/WSE	Commercial/Industrial			622,000		
Vina Robles Amphitheater Hotel	Transient Lodging			95,000	80	
Hilton Garden Inn	Transient Lodging				168	
Cabernet Links RV Resort 290 space RV Resort	Transient Lodging			30,000		290
GPA & RZ Parking Lot Expansion Mullahey Dodge	Commercial/Industrial			3,000		

Project Description	Primary Use Type	Dwellings	Beds	Commercial/ Industrial SF	Hotel Rooms	RV Spaces
New Spec Industrial Building	Commercial/Industrial			4,981		
4,958 sf Boxing & Fitness Gym, Office, Lockers, etc.	Commercial/Industrial			4,958		
Marriott Residence Inn	Transient Lodging				128	
(TEX) Habitat Vine St	Residential	9				
Oaks Assisted Living	Medical		101	89,000		
Oaks Hotel expansion	Transient Lodging				66	
Fairfield Inn DP amendment	Transient Lodging				119	
Sonic Burger Drive-Thru/carhop	Commercial/Industrial			2,000		
301 Creston Tentative Parcel Map 16-0165	Residential	4				
Paso Robles Public Market - Mixed Use (Hometown site)	Mixed Use	6		16,500		
Bellissimo Restaurant & Apartments	Mixed Use	4		6,000		
Tidwell office/ maintenance building	Commercial/Industrial			9,960		
Pine St. Hotel - Amendment (hotel, restaurant, retail)	Transient Lodging			105,000	151	
18,500 sf Warehouse for Wine Storage	Commercial/Industrial			185,000		
New Spec Industrial Building Westco Builders	Commercial/Industrial			3,948		
Industrial Building (Rental) Viborg	Commercial/Industrial			7,200		
Arjun (Blue Oaks) Apartments	Residential	142				
Oxford Suite Hotel	Transient Lodging			69,209	127	
North Vine Apartments	Residential	8				
Alder Creek Apartments	Residential	16				
Webb Apartments	Residential	10				
Cava Robles RV Resort	Transient Lodging			12,000		332
6th/Spring Street new retail building + relocation	Commercial/Industrial			4,600		
Tentative Tract Map 3098	Residential	9				
Oak Park Phase 3 apartments	Residential	75				
Firestone Warehouse DP amendment	Commercial/Industrial			59,000		
Firestone Coldblock 4	Commercial/Industrial			10,000		

Project Description	Primary Use Type	Dwellings	Beds	Commercial/ Industrial SF	Hotel Rooms	RV Spaces
Paso Robles Inn Expansion	Transient Lodging			18,000	23	
Southgate Center (Paris Precision)	Commercial/Industrial					
Buttonwillow Product Warehouse 4960 sf	Commercial/Industrial			5,000		
Lone Oak Hotel Conversion	Transient Lodging				37	
Destino Resort Hotel	Transient Lodging				291	
Discovery Gardens (La Entrada)	Recreation					
Gran Cielo Cluster Development (County)	Residential	42				
Vina Robles Hotel	Transient Lodging				98	
Wisteria Lane General Plan Amendment (Tentative Tract 3069)	Commercial/Industrial					
San Antonio Winery Development	Commercial/Industrial					
Total		**2,030**	**226**	**2,723,286**	**2,329**	**622**

Source: City of Paso Robles.

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4 Environmental Impact Analysis

This section discusses the possible environmental effects of the project for the specific issue areas that were identified through the scoping process as having the potential to experience significant impacts.

Impact Classification

"Significant effect" is defined by the State CEQA Guidelines Section 15382 as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant."

The assessment of each issue area begins with a discussion of the environmental setting related to the issue, which is followed by the impact analysis. Within the impact analysis, the first subsection identifies the methodologies used and the "significance thresholds," which are those criteria adopted by the city, other agencies, universally recognized, or developed specifically for this analysis to determine whether potential effects are significant. The next subsection describes each impact of the project, mitigation measures for significant impacts, and the level of significance after mitigation. Each effect under consideration for an issue area is separately listed in bold text, with the discussion of the effect and its significance following. Each bolded impact listing also contains a statement of the significance determination for the environmental impact as follows:

- **Class I. Significant and Unavoidable:** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per Section 15093 of the State CEQA Guidelines.
- **Class II. Significant but Mitigable:** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings to be made under Section15091 of the State CEQA Guidelines.
- **Class III. Not Significant:** An impact that may be adverse but does not exceed the threshold levels and does not require mitigation measures.
- **Class IV. Beneficial:** An effect that would reduce existing environmental problems or hazards.

Following each environmental impact discussion is a listing of mitigation measures (if required) and the residual effects or level of significance remaining after the implementation of the measures. If the mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed and evaluated as a secondary impact. The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with the project in conjunction with other future development in the area.

Section 15065 of the *CEQA Guidelines* also requires the following specific issues be addressed as part of the environmental review for the project:

- The potential for the project to substantially 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, substantially 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;
- Project 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); and
- Environmental effects of the project which will cause substantial adverse effects on human beings, either directly or indirectly.

Section 4.4, *Biological Resources*, describes the project's potential effects of the project on plant and animal species populations, habitats, communities, and migratory patterns. Section 4.5, *Cultural and Tribal Cultural Resources*, describes the project's potential effects on important historical and prehistoric cultural and tribal cultural resources. As discussed in these sections, the project would not result in unmitigable, significant impacts to biological, cultural, or tribal cultural resources. Potential adverse environmental effects to human beings are discussed in Section 4.3, *Air Quality*, Section 4.6, *Geology and Soils*, Section 4.8, *Hazards and Hazardous Materials*, Section 4.9, *Hydrology and Water Quality*, Section 4.10, *Land Use and Planning*, and Section 4.11, *Noise*. As discussed above, each environmental analysis section of the EIR concludes with a discussion of the project's contribution to cumulative effects.

Also refer to the Executive Summary of this EIR, which clearly summarizes all impacts and mitigation measures that apply to the project.

4.1 Aesthetics and Visual Resources

This section discusses the Project's potential impacts relating to aesthetics and visual resources. It incorporates information regarding the regulatory setting and analysis of viewsheds and visual resources in Paso Robles. Regulatory documents include: the City of Paso Robles General Plan Land Use and Conservation Elements and the Paso Robles Municipal Code (Municipal Code). The Municipal Code defines a viewshed as "the geographical area typically visible from a location beyond a project site. The viewshed includes all surrounding points that are in line of sight with that location and excludes points that are beyond the horizon or obstructed by terrain and other features (e.g., buildings, trees)."

The landscape is discussed in terms of "foreground," "middle ground," and "background" views. Foreground views are those immediately presented to the viewer and include objects at close range. Middle ground views occupy the center of the viewshed and typically include objects that dominate the viewshed in normal circumstances. Background views include distant objects and other objects that make up the horizon.

4.1.1 Setting

a. General Visual Character

Paso Robles is located in the upper Salinas River valley, with the Salinas River flowing through the center of the city from south to north. The rugged mountain ridges of the Santa Lucia Coastal Range border the Paso Robles area on the south and west, with the low hills of the La Panza and Temblor ranges in the east. In the north, the city is bounded by the low hills and flat-topped mesas of the Diablo Range. Development patterns in the valley are strongly influenced by the rolling topography of alluvial foothills and meandering course of the river floodplain.

Between these natural features, Paso Robles is developed with suburban residential, commercial, light industrial, institutional, and agricultural uses, with parks and open space scattered throughout the city. On the west side of the Salinas River, Paso Robles features older development, with many buildings of architectural and historical interest. East of the river, the city includes newer development, with a mix of mostly residential and some commercial and industrial uses. Lower density residential uses occur on all sides of the city. A limited number of properties within the city limits are designated for agricultural uses and are generally concentrated north of State Route (SR) 46 East and near the Paso Robles Municipal Airport.

The city combines a compact urban/suburban form in a rural setting, transitioning from a well-defined urban edge to agricultural uses and open space. Neighborhoods are characterized largely by single-family homes with generous setbacks from the street and a mature tree canopy. The region around the city is home to 40,000 vineyard acres that focus on premium wine production at more than 200 wineries (Paso Robles Wine Country Alliance 2019).

b. Existing Visual Conditions of the Project Area

The Project site lies on the western edge of the Salinas River Valley at the base of the Santa Lucia Coastal Range. This area of the Salinas River Valley is characterized by gentle rolling slopes, open pasture lands, clustered or singular oaks, and oak woodland drainages at lower elevations. Higher elevations to the east and west lead to steeper foothill peaks covered by brush vegetation. Varying by season, the patchwork of native and non-native vegetative cover, varied agricultural uses, and

mature oak habitats give most of the landscape a vibrant to dull grey-green and tan/light rust colored palette. Where visible, the more densely vegetated mountains are characterized by muted grey-green color that contrasts with the tans/beiges of the lower elevations. The landscape textures ranges from smooth pastures areas, to more coarsely clumped vegetation.

The project site is located on San Luis Obispo County unincorporated land, adjacent to the southwest edge of the city limits, at the urban/rural fringe with the County. The rolling terrain ranges in elevation from approximately 750 feet above mean sea level (msl) to 960 feet above msl. The rolling topography, vegetation and trees, and intermittent drainages comprise views of the Project site from public roadways including Vine Street, United States Highway 101 (U.S. 101), and State Route (SR) 46 West. The hillsides east of the Salinas River provide distant, but direct views into the Project Site. The Project site is also briefly visible from South River Road. Much of this land is vacant, with scattered rural residential subdivisions and residences throughout the hills.

The Project site reflects the typical visual character of rural County lands west of Paso Robles, including primarily undeveloped land, with agricultural uses including remnants of almond orchards and cattle grazing on portions of the property. The Project site is bounded by SR 46 West on the south, Vine Street and U.S. 101 on the east, and scattered vineyard and residential uses on the north and west. The Paso Robles city limits border the property generally on its northern, eastern and southern sides. Figure 4.1-1 shows the key view locations and Figure 4.1-2 through Figure 4.1-5 show daytime and nighttime views of the Project site and surroundings from these locations.

Visual Corridors, Scenic Roadways, and Gateways

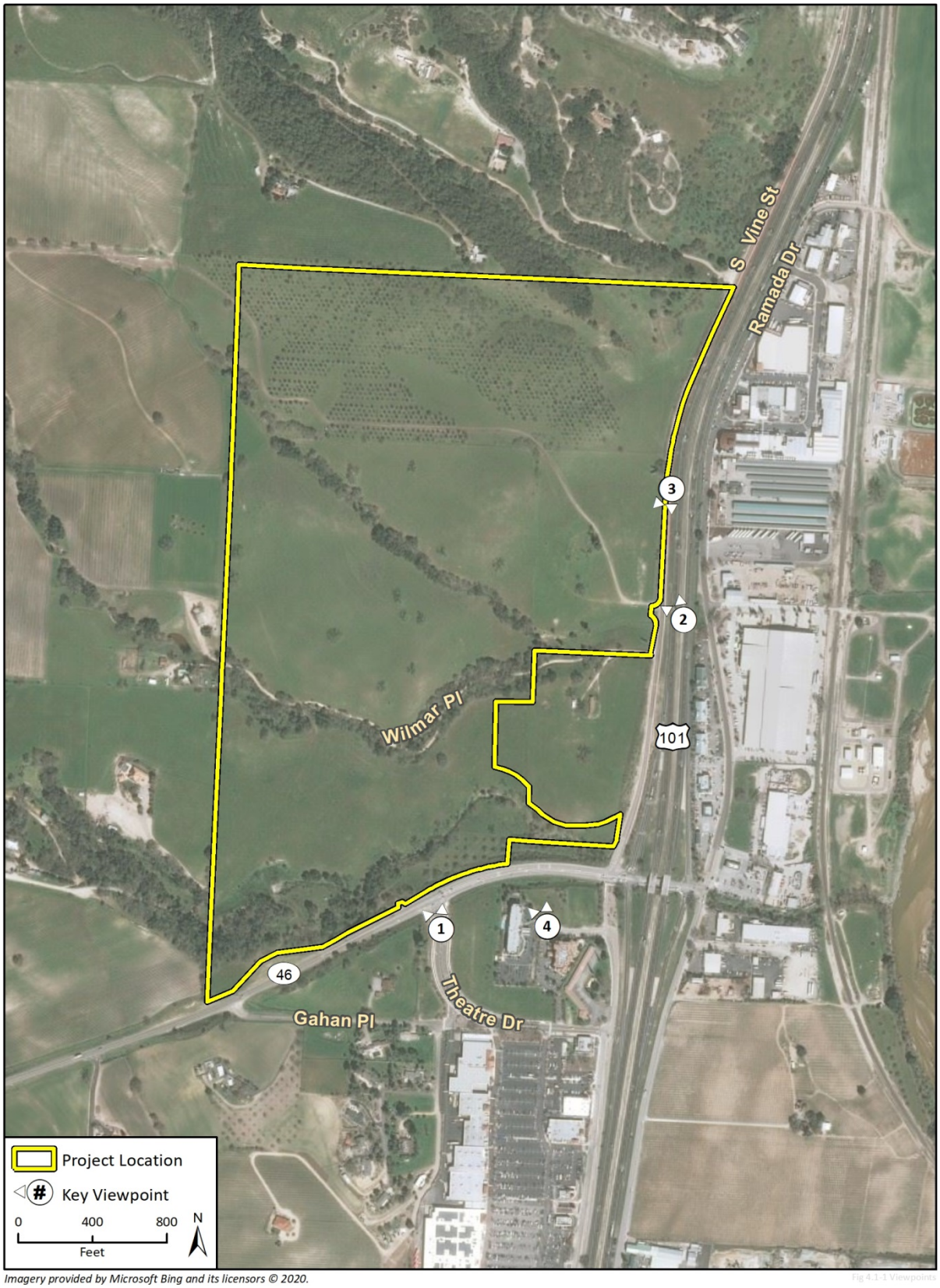
U.S. 101 and SR 46 traverse the city from north to south and west to east, respectively. Both routes are eligible for state designation as scenic highways (California Department of Transportation [Caltrans] 2019). The Project site is visible from each of these roadways. Vine Street, as a frontage roadway to U.S 101, also provides expansive views of the Project site. North- and southbound travelers on Vine Street and U.S. 101, and east- and westbound travelers on SR 46 West have open views of the hillsides and vegetation across the Project site.

A Visual Corridor and Gateway to the City are identified in the city's General Plan Conservation Element along SR 46 West at the southern boundary of the Project site. Additionally, the city's Gateway Design Plan identifies SR 46 West in the vicinity of the Project site as a Town and Country gateway, as it marks the "edge of town entry points from the surrounding countryside" (City of Paso Robles 2008).

Scenic Vistas and Other Visual Resources

A scenic vista is a view of natural environmental, historic, and/or architectural features possessing visual and aesthetic qualities of value to the community. The term "vista" generally implies an expansive view, usually from an elevated point or open area. No designated scenic vistas are located on or adjacent to the Project site, but the site is adjacent to several visual corridors, where visual resources, such as ridgelines, oaks, and intermittent drainages containing riparian vegetation, are visible on and through the site.

Figure 4.1-1 Key Viewing Locations



Imagery provided by Microsoft Bing and its licensors © 2020.

Fig 4.1-1 Viewpoints

Figure 4.1-2 Key View 1 – Daytime and Nighttime Views of the Project Area

Photograph 1. Daytime view facing north from Theatre Drive and SR 46 West intersection, with trees and hillsides on the Project site visible in the middleground.

Photograph 2. Nighttime view facing north from Theatre Drive and SR 46 West intersection, with traffic lighting and SR 46 West visible in the foreground and middleground.

Figure 4.1-3 Key View 2 – Daytime and Nighttime Views of the Project Area

Photograph 1. Daytime view facing northeast from U.S. 101, with U.S. 101 southbound lanes visible in the foreground and the Project site, including old almond orchards, in the background.

Photograph 2. Nighttime view facing northeast from U.S. 101, with vehicle headlights from U.S. 101 southbound lanes visible in the foreground and a distant residential unit visible in the background beyond the Project site.

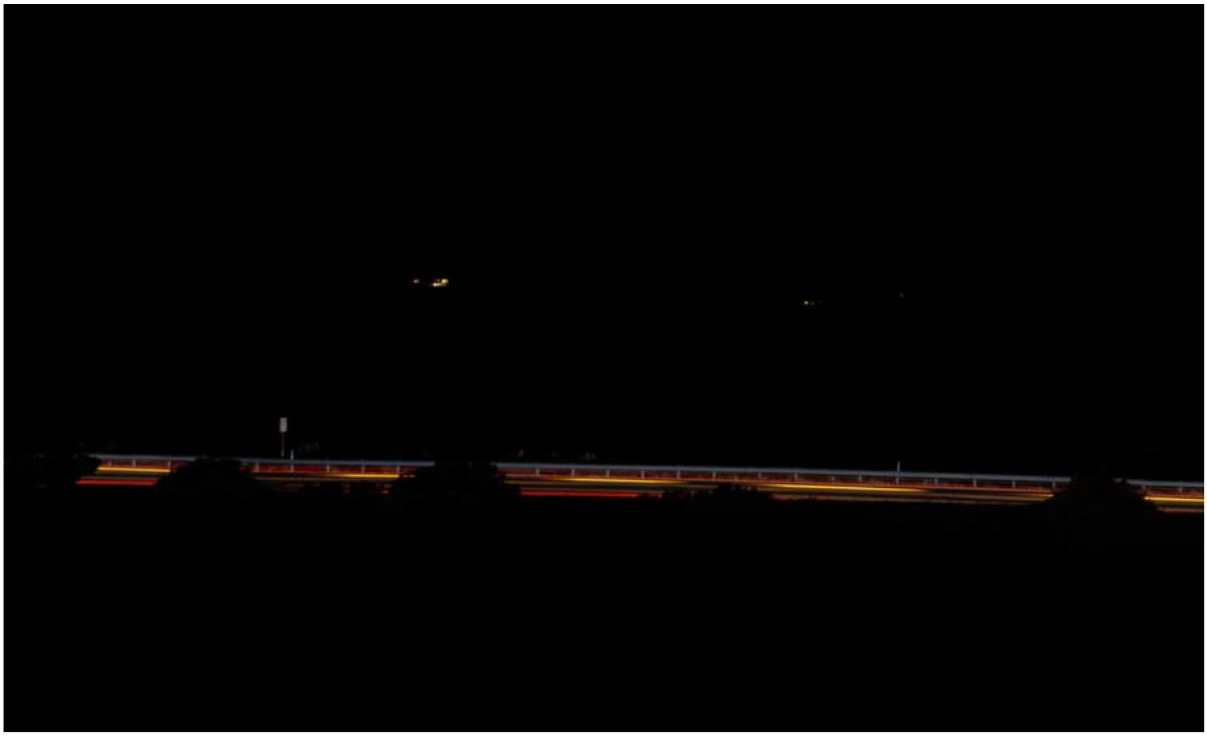
Figure 4.1-4 Key View 3 – Daytime and Nighttime Views of the Project Area

Photograph 1. Daytime view facing south from South Vine Street, with South Vine Street visible to the left and the oak covered hillsides on Project site visible to right of the fence.

Photograph 2. Nighttime view facing south from South Vine Street, with South Vine Street, vehicle headlights on South Vine Street and U.S. 101, and a lighted billboard along the eastern Project site boundary visible.

Figure 4.1-5 Key View 4 – Daytime and Nighttime Views of the Project Area

Photograph 1. Daytime view facing north from Alexa Court south of SR 46 West, with the Project site just beyond SR 46 West visible in the middleground.



Photograph 1. Nighttime view facing north from Alexa Court south of SR 46 West, with vehicle headlights on SR 46 West visible in the middleground, and distant residential units visible in the background beyond the Project site.

Light and Glare

Nighttime lighting conditions vary throughout the city, from heavily lit areas of commercial development to rural areas with little night lighting. As illustrated in Figure 4.1-2 through Figure 4.1-5, there is no street lighting or lighted nighttime activity on the Project site. Typical sources of glare include expanses of light-colored walls, windows, and parked cars that reflect the sun. In the Project vicinity, vehicle headlights, street lighting at intersections and along the streets, building lighting, and reflective surfaces associated with major roadways and residential and commercial uses to the north, east, and south of the Project site are the primary sources of light and glare in the vicinity.

c. Regulatory Setting

State

State Streets and Highways Code, Section 260, et. seq.

A California highway may be designated as scenic depending on how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes on the traveler's enjoyment of the view. When a city or county nominates an eligible scenic highway for official designation, it must identify and define the scenic corridor of the highway, defined by the motorist's line of vision (a reasonable boundary is selected when the view extends to a distant horizon). A city or county must also adopt ordinances to preserve the scenic quality of the corridor, including 1) regulation of land use and density of development; 2) detailed land and site planning; 3) control of outdoor advertising (including a ban on billboards); 4) careful attention to and control of earthmoving and landscaping; and 5) careful attention to design and appearance of structures and equipment.

Local

City of Paso Robles General Plan

The City of Paso Robles regulates the appearance and size of buildings and public spaces through implementation of the General Plan Land Use, Circulation, and Conservation elements, and the enforcement of statutes in the Municipal Code Design Guidelines and Historic Preservation Guidelines. The General Plan Elements with applicable goals and policies follow in further detail.

LAND USE ELEMENT

The Land Use Element guides development in the city and restricts the expansion of the city limits (City of Paso Robles 2003a). The Land Use Element provides goals, policies, and actions to manage visual resources on the Project site.

GOAL LU-2: Image/Identity. Maintain/Enhance the City's Image/Identity

> **Policy LU-2B: Visual Identity**. Promote architectural and design excellence by imposing stringent design and construction standards for commercial, industrial, mixed-use, and multifamily projects.
>
> > **Action Item 2.** Adopt design standards to clearly articulate how important public views, gateways, and landmarks are to be maintained/enhanced. This is to include, but not be

limited to enhancing views along highways, roads, streets, and rail corridors with landscaping, building setbacks, enhanced architecture, and signage/monuments.

Action Item 3. Require utilities to be places underground in new development projects, except for those circumstances where this requirement is not reasonably related to the specific project. Voltage lines of 44 KV or greater are excluded from this undergrounding requirement.

Policy LU-2D: Neighborhoods. Strive to maintain and create livable, vibrant neighborhoods and districts with:

- Attractive streetscapes
- A pedestrian friendly setting
- Coordinated site design, architecture, and amenities
- Adequate public and private spaces
- A recognizable and high quality design aesthetic

Action Item 5 (Light/Glare – New Development). Require all new lighting to be shielded and directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location, and height of the lighting fixtures shall be submitted with the building plans and shall be subject to approval by the Development Review Committee prior to issuance of building or grading permits, as appropriate.

Policy LU-2J: Public Art. Art is in public places is an essential element of the Community's quality of life, contributing to what makes Paso Robles a special place to live, work and shop.

Action Item 1. Public and private development projects shall be required to contribute toward the establishment and maintenance of art in public places, based on a formula and process to be established by the City Council.

Policy LU-2K: Support Environmental Responsibility. Manage the natural landscape to preserve the natural beauty and rural identity of the community, which enhances ecological functions and maintains environmental and public health.

Action Item 1. Require new development, either on public or private property, to mitigate its share of impacts from storm water on the natural environment through implementation of Low-Impact Development (LID) storm water management features.

CONSERVATION ELEMENT

The Conservation Element addresses the preservation of resources in and near the city that contribute to the “quality of life and community image… [and that include] the many features that make Paso Robles a special place to live or visit” (City of Paso Robles 2003a).

Oak trees are of particular importance to the heritage and character of Paso Robles, and the city has special provisions in the Conservation Element concerning the preservation of oak trees as an important resource. The following General Plan goals, policies, and action items relate to visual resources.

Policy C-3 A: Oak Trees. Preserve existing oak trees and oak woodlands. Promote the planting of new oak trees.

Action Item 3. Encourage and/or require new development to include the planting of new oaks where feasible and appropriate.

GOAL C-5: Visual Resources. Enhance/Upgrade the City's Appearance

Policy C-5A: Visual Gateways and Landmarks. Identify important visual resources: gateways, visual corridors, major arterials, natural/open space areas, as shown in Table C-1.

Action Item 2. Coordinated/Complementary Design Standards. Establish and implement site design, landscaping, architecture, and sign design standards in order to ensure that gateways, corridors, major arterials, and natural areas are identifiable.

Policy C-5B: Hillsides. Protect hillsides as a visual amenity by implementing design standards and grading requirements that call for:

a. Decreasing density as slope increases,
b. Limiting the amount of grading,
c. Providing substantial amounts of landscaping,
d. Incorporating architectural treatment that enhances the form of the hillside rather than conflicting with it,
e. Limiting the number of building sites that may be placed on prominent ridgelines,
f. Preventing development of new buildings that project above the ridgeline unless adequately mitigated with landscaping, and
g. Ensuring sensitive design of development on steep slopes, and on the crest of major ridgelines.

Considerations for development on steep slopes shall include the following:

- Avoid slope stability hazards by restricting development from slopes of 35 percent or greater.
- [Perform] site-specific visual assessments (with and without the project) to thoroughly evaluate the visual effects of development proposals on slopes of 30 percent or greater.
- For new development located on ridges and hills consider providing a substantial building setback from the edge of the downhill slope and/or screening landscaping, where the slope exceeds 15 percent.

Paso Robles Municipal Code

The Municipal Code is the set of regulations that serve as the civil code for the city. Provisions related to aesthetics and visual quality include the following.

CHAPTER 10.01 OAK TREE PRESERVATION

10.01.010.A. It is declared that the public interest and welfare requires that the city establish a program for the preservation of oak trees in order to maintain the heritage and character of the city of El Paso de Robles ("The Pass of the Oaks") as well as preserve the beauty and identity of the community.

10.01.010.F. Preservation of existing oak trees and opportunities to promote the establishment of new oak trees shall be a focus of the planning commission and/or city council in conjunction with consideration of any development project or development related entitlement. Public education regarding the value of preserving oaks and other trees shall be promoted by the City of El Paso de Robles.

A discussion of this regulation is also provided in Section 4.4, *Biological Resources*. Municipal Code Title 20, Grading, "sets forth regulations for the control of excavation, grading, fills, and embankment construction; establishes the administrative procedure for issuance of permits; provides for approval of plans; and requires the inspection and approval of the work" with pertinent sections of Chapter 70 of the California Uniform Building Code incorporated.

Title 21, Zoning, establishes the standards for building design, including their height and bulk. Section 21.14A.045 of the "Hillside Development District", Ridgelines, states that "Subdivisions shall be designed to minimize landform alteration as viewed from outside the site. Landscaping and contour grading shall be used to mitigate the visual effects of grading. Each specific plan shall include grading policies for the protection of prominent ridgelines." Section 21.14A.060 of the Municipal Code outlines the review requirements, whereby the plans and renderings are reviewed by the Community Development Director, development review committee, or Planning Commission to determine if project features and landscaping plans meet City goals and policies for their design.

Paso Robles Gateway Design Plan

The City adopted the Paso Robles Gateway Plan; Design Standards (Gateway Design Plan) in 2008 to identify standards for visual character of gateways around the city. In general the identified Town and Country gateways support the idea of the "Purple Belt" by enhancing entry ways, scenic corridors, views, and ridgelines. The Project falls within the "Highway 46 West" Town and Country gateway. Specific recommendations for this gateway that apply to the Project area include:

- Apply the T2 [rural] design standards for thoroughfares, frontage and building types for proposed development along SR 46 West. Work with the county to ensure that such standards are applied uniformly to all development regardless of which jurisdiction it falls within.
- Building facades and rooflines should be articulated to avoid long expanses of monotonous building massing. When buildings are built on existing sloping terrain, techniques such as stepped foundations should be used. Landscaping should be utilized to screen the transition areas between the buildings and the existing terrain.
- The value of the hillsides to the community will be substantially increased if "hillside buildings and other onsite development features" are built on the hillsides rather than carving the hills into pads so that "flatland buildings" can be constructed on the hills. Development should be designed so that it conforms to the existing topography. For instance, this would require buildings on sites with sloping topography to be designed with stepped or raised foundations, minimizing grading, and only allowing grading that would result in natural appearing landforms (e.g. contour grading), not exceeding a 5:1 slope. Pad grading should be discouraged. Areas that require flat pads such as parking lots, swimming pools, courtyards, tennis courts, etc., should be generally located behind buildings and designed in smaller, tiered parking fields, and be very carefully screened with drought tolerant landscaping or other suitable materials so that they are not visible from the roads. All manufactured slopes should incorporate contour, natural appearing grading techniques and should be landscaped with appropriate landscaping materials

to completely cover or screen the slopes. The top edge of slopes should be rounded and the edges of the slopes should blend into the existing terrain as much as possible.

- In selected areas that are relatively flat it may be possible to develop denser "village centers" without significant grading. Outside such centers, building and site improvements shall be based substantially on the palette of forms and materials prescribed for the T2 zone.

4.1.2 Impact Analysis

a. Methodology and Significance Thresholds

The assessment of aesthetic impacts involves qualitative analysis that is subjective in nature: different viewers react to viewsheds and aesthetic conditions differently. This discussion evaluates the existing visual environment against the anticipated level of development with implementation of the project. The proposed landscape plans, conceptual architectural plans, preliminary grading and drainage plans, and other conceptual resources included in the application package for the project were reviewed relative to the adopted plans and regulations described in Section 4.1.1(c) above. The impact analysis compares the existing visual resources against the proposed action, analyzing the nature of the anticipated change.

The following criteria for the effects to aesthetic resources are based on Appendix G of the State CEQA Guidelines. An impact is considered significant if the project would result in one or more of the following conditions:

1. Have a substantial adverse effect on a scenic vista
2. Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway
3. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality
4. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area

Potential impacts related to scenic resources within a state scenic highway are included in the analysis of modifications to the viewshed.

b. Project Impacts and Mitigation Measures

Threshold 1:	Would the Project have a substantial adverse effect on a scenic vista?
Threshold 2:	Would the Project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Impact AES-1 THE PROJECT WOULD CHANGE VIEWS OF SCENIC RESOURCES ON THE PROJECT SITE, INCLUDING OAK COVERED HILLSIDES AND RIPARIAN CORRIDORS, TO INCLUDE URBAN DEVELOPMENT, AS EXPERIENCED FROM AN IDENTIFIED VISUAL CORRIDOR AND GATEWAY TO THE CITY ALONG SR 46 WEST, AND ELIGIBLE STATE SCENIC HIGHWAYS. THIS IMPACT WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

Although the city does not identify scenic vistas in the General Plan, the city's General Plan Conservation Element identifies a Visual Corridor and Gateway to the City along SR 46 West at the southern boundary of the Project site. Additionally, the city's Gateway Design Plan identifies SR 46 West in the vicinity of the Project site as a Town and Country gateway, as it marks the "edge of town entry points from the surrounding countryside" (City of Paso Robles 2008). The city's Gateway Design Plan suggests that hillside buildings and other onsite development features in this area be built on the hillsides rather than carving the hills into pads to increase the community value of these hillsides. Conservation Element Policy C-5A and Conservation Element Table C-1 identify natural landmarks and open space viewsheds as important visual resources. Conservation Element Policy C-5B also identifies hillsides as a visual amenity in the city. Natural landmarks and open space viewsheds specifically identified as important visual resources in the Conservation Element include oak covered hillsides and creeks/riparian corridors such as those along the intermittent drainages on the Project site. As shown in Figure 4.1-1, Figure 4.1-2, and Figure 4.1-4, these identified visual resources are visible in the middle ground and background views from public viewsheds surrounding the Project site, including U.S. 101 and SR 46 West, such that impacts to views of these visual resources would be considered potentially significant.

The Project would result in construction of resort residential, hotel, and commercial uses throughout the Project site. Conceptual views of these components of the proposed development on the Project site are shown on Figure 2-5 through Figure 2-7 in Section 2, *Project Description*. This proposed development and realignment of South Vine Street would require grading throughout the Project site as well as the removal of 57 existing native oak trees. In order to respond to city concerns regarding substantial grading into hillsides on the Project site, the Project has been redesigned from previous plans. Under the current proposal, the grading necessary for the Project development would avoid major hillside cuts by utilizing the natural pads and topography of the landscape to the extent feasible to site the proposed structures and associated amenities. The current Project design would also retain some mature oak trees that are pronounced on hilltops, along creek corridors, and at entry points to the Project site for their aesthetic value. The changes to views in the city-identified Visual Corridor and Gateway along SR 46 West and U.S.101 are further detailed below.

Views from SR 46 West

The Project would include approximately 16.6 acres of open space along SR 46 West on the southern portion of the Project site. The proposed resort residential uses within area 5, as shown on Figure 2-3, *Conceptual Project Site Plan*, would be separated from SR 46 West by the proposed open space area. Accordingly, foreground and middleground views facing north toward the Project site

from the SR 46 West Visual Corridor and Gateway to the City along the southern boundary of the Project site would remain dominated by intervening vegetation and oak trees. However, background views to more distant, northern portions of the Project site would include partial views of the proposed hotel and commercial uses.

Views from U.S. 101

Primary access to proposed development areas 1 through 4, and 6, as shown on Figure 2-3, *Conceptual Project Site Plan,* would be from South Vine Street, with entry monuments and Project marquee signage located along this roadway. Development areas 1, 2, 4, and 6 would include buildings up to three stories in height and located in close proximity to and, thus, within view from South Vine Street and U.S. 101 (Refer to architectural plan set prepared by MVE Partners in March 2019 in Appendix B1). Views of the Project site from public viewsheds such as U.S. 101 and South Vine Street, would be permanently changed from unimpeded vistas of oak covered hillsides and creeks/riparian corridors to include views of hotel and commercial development, and associated signage, internal roadways, recreational paths, and parking areas amongst scattered oak trees that would be retained with the Project. Interspersed landscaping throughout the Project site and vineyards within the proposed agricultural area 7, as shown on Figure 2-3, *Conceptual Project Site Plan,* would also add natural features back into views of the site. However, the overall change of the oak covered hillsides to urban development with interspersed oak trees and landscaping would be potentially significant.

The Project would also include development of hotel/resort uses in area 3 on the northwestern portion of the Project, as shown on Figure 2-3, *Conceptual Project Site Plan*. This development area would be distant in views of the Project site from SR 46 West and U.S. 101, and predominantly blocked by intervening topography, vegetation, and trees on the Project site. However, development in area 3 would be up to four stories in height and pronounced on the landscape, such that portions of buildings proposed for this area would be visible from surrounding public viewpoints or roadways. Therefore, development within area 3 would also contribute to an overall adverse effect on views from roadways eligible for state designation as scenic highways by adding hotel/resort development to currently undeveloped oak covered hillsides.

The Project includes approximately 98 acres of agricultural/open space uses, accounting for approximately 58 percent of the Project site, which would preserve natural landmarks and views of natural features in these areas. Nevertheless, urban development of the Project site would alter uninterrupted views of oak covered hillsides and creeks/riparian corridors, which are identified as important visual resources in the city's General Plan Conservation Element, from public viewsheds and eligible state scenic highways in the Project site vicinity to a more urban condition. Therefore, the Project would result in potentially significant impacts due to changes to scenic views within a city-identified Visual Corridor and Gateway, and mitigation would be required.

Mitigation

Compliance with the City's Oak Tree Preservation ordinance (Municipal Code Chapter 10.01) as well as implementation of Mitigation Measures BIO-4(a) and BIO-(b), to preserve and replace oak trees, would minimize impacts due to the loss of oak trees on the Project site to the extent feasible. The following mitigation would be required to reduce the severity of the project impact to views of the Project site:

AES-1 Master Landscape Plan Requirements

A Master Landscape Plan shall be prepared for coordinated design and implementation of landscaping throughout the Project site. The Master Landscape Plan shall indicate specific best practices for landscaping on the Project site, including as landscape buffers between residential/hotel and non-residential development and open space/agricultural areas, plantings that screen outdoor parking areas and residential and non-residential structures, and shielded lighting. The Master Landscape Plan shall be developed in coordination with the requirements in Mitigation Measures BIO-4(a) and BIO-4(b) for the replacement and protection of oak trees on the Project site.

a. Retaining/barrier walls and other vertical boundaries shall be in tones compatible with surrounding terrain using textured materials or construction methods which create a textured effect. Walls shall be landscaped to provide screening from adjacent open space areas, visual corridors, and gateways (SR 46 West), using drought-tolerant, low-maintenance, and native species where appropriate. Perimeter landscaping of retention/drainage basins shall consist of low maintenance trees and shrubs.
b. Retaining/barrier walls shall be limited to 5 feet in height, measured from the top of grade in front of the wall to the top of the wall cap. Where retaining conditions require walls to be higher than 5 feet, the wall shall be separated into two or more walls with a minimum of 3 feet between each wall for screen planting.
c. Landscaping using native oak trees, shrubs, and groundcover shall be preferred to perimeter fencing to the maximum extent feasible. Where required, perimeter fencing shall be decorative and designed to minimize interference with wildlife movement.
d. All medians and strips designated for landscaping shall utilize drought-tolerant species to the maximum extent feasible, consisting of low maintenance trees, shrubs, and groundcover that do not obstruct views for motorists, bicyclists, and pedestrians.
e. Decorative natural turf is prohibited.
f. The extent, height, and quantity of cut and fill shall be minimized to the extent feasible to preserve natural components of the existing landscape, including existing oak trees.

Plan Requirements and Timing. These requirements shall be reflected on the Master Landscape Plan and on subsequent grading and building plans for review by the City prior to issuance of permits or approval or improvement plans that are submitted in conjunction with improvement plans for each development area, public improvement plans, on-site improvement plans, and commercial, hotel and residential plot plans.

Monitoring. City staff shall verify the submittal of landscape plans with any permits listed above and review all landscape plans for consistency with Project development plans as applicable. Prior to all building permit finals or improvement plans, City staff shall inspect all landscape installations.

Significance After Mitigation

The Project would result in alteration of unobstructed views of oak covered hillsides and creeks/riparian corridors on the Project site to include views of to urban features amongst the natural landscape. Implementation of Mitigation Measures AES-1, BIO-4(a), and BIO-4(b) would reduce visual impacts associated with development on the Project site to a less than significant level by minimizing the project's adverse effects on views of natural vegetative features on the Project site.

Threshold 3:	In non-urbanized areas, would the Project substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point)? In an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Impact AES-2 THE PROJECT WOULD ALTER THE CHARACTER OF THE PROJECT SITE FROM SEMI-RURAL AGRICULTURAL TO URBANIZED. THIS CHANGE IN THE VISUAL CHARACTER OF THE PROJECT SITE WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

The Project site is non-urbanized, but adjacent to urban-type visitor serving commercial land uses. As described in Section 4.10, Land Use and Planning, the Project would be consistent with applicable city policies and land use standards with implementation of the mitigation measures in this EIR. The existing visual character of the Project site is rural. The city's Gateway Design Plan identifies SR 46 West in the vicinity of the Project site as a Town and Country gateway, as it marks the "edge of town entry points from the surrounding countryside". The General Plan anticipates that some undeveloped areas in and around the city will change from semi-rural or open space character to a developed, urban character as a result of infill and new development.

Grading

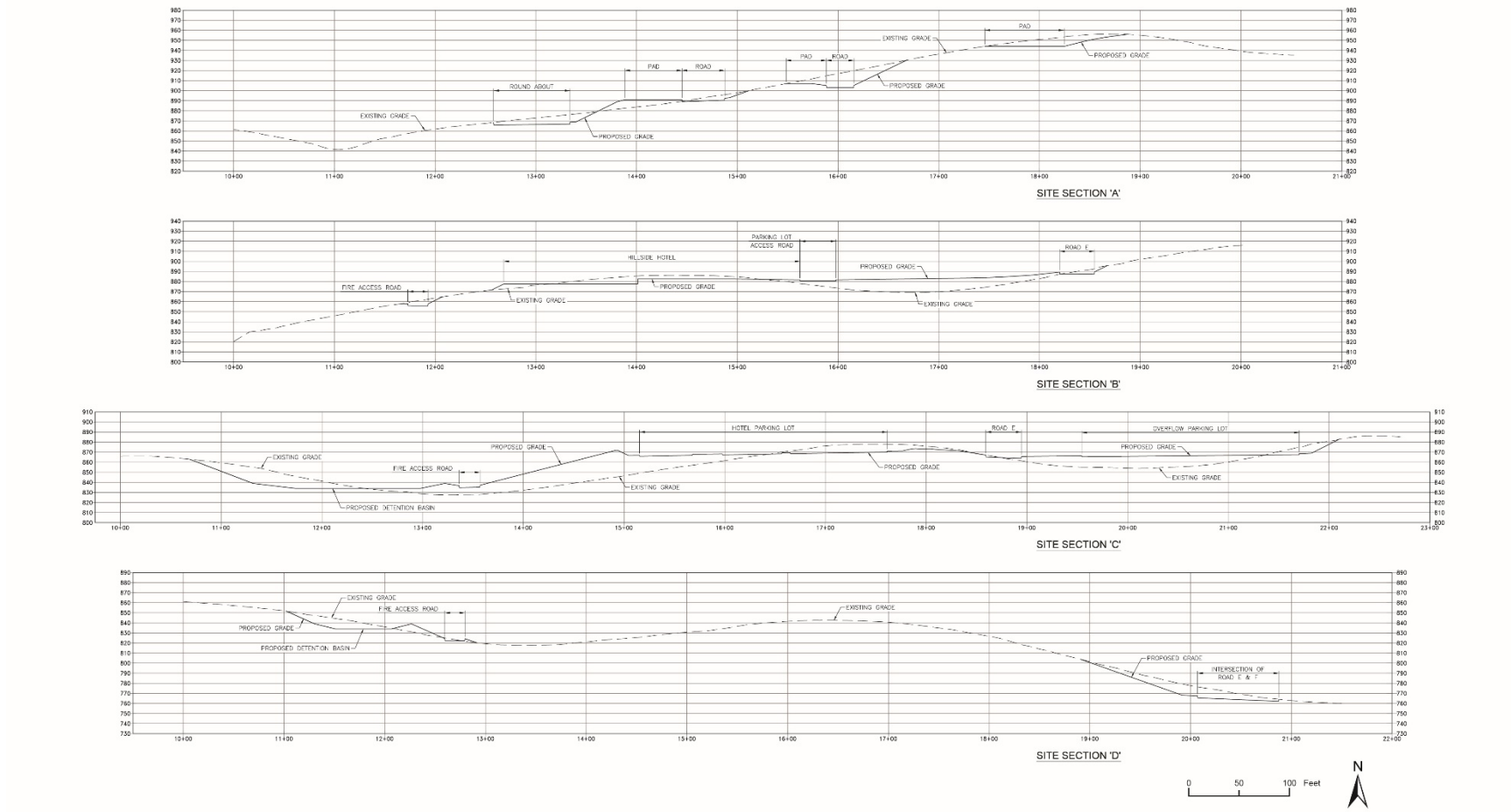
Grading would occur throughout the Project site in each of the areas proposed for development. The preliminary grading plans divide the northern and southern portions of the Project site into two distinct areas: Gateway North and Gateway South. Total site disturbance for Gateway North is approximately 42 acres requiring approximately 190,600 cubic yards of cut and 227,600 cubic yards of fill. Total site disturbance for Gateway South is approximately 18 acres requiring approximately 105,180 cubic yards of cut and 62,300 cubic yards of fill. To achieve a net import/export balance of soil, approximately 50,000 cubic yards of material would be retrieved from an on-site borrow area located within the development footprint for Gateway South. All excavation components would be required to comply with Municipal Code 20.16, including applicable height limits and cut/fill slope requirements. The Preliminary Grading and Drainage Plans, prepared by Fuscoe Engineering in April 2019, show the proposed grading for the Project (Appendix B2).

As described in Section 2, Project Description, cut soil will be used to balance fill soil within the Project site, with excavated earth being used as fill material. The grading cross sections for the proposed development areas and the proposed fill soil borrow sites, prepared by Fuscoe Engineering in April 2019 and shown in Figure 4.1-6, Figure 4.1-7, and Figure 4.1-8, show pre- and post-grading slope profiles for the development areas and the area from which soil will be used to balance Project cut and fill quantities (Appendix B2). As shown in the grading slope profiles, the proposed grading has been designed to retain the existing topography of the Project site where feasible, but would still require grading into hillsides for tiered development pads that would facilitate planned urban development. Therefore, the Project would alter the topography, land use, and vegetation, permanently changing the visual form of the Project site.

Community Design and Development Density

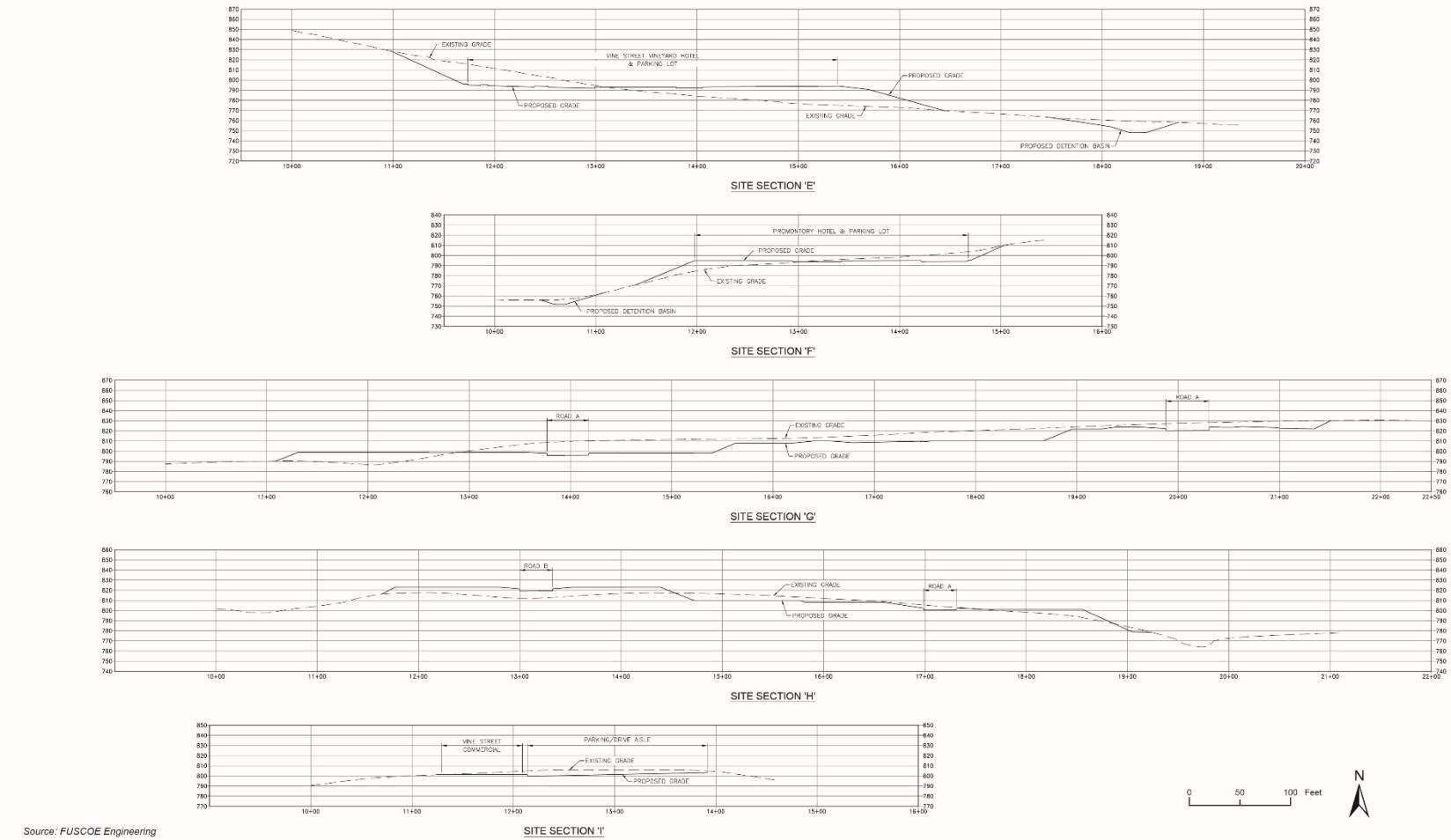
The Project would convert approximately 72 acres of mostly undeveloped open space on the Project site to urban development, including hotel and commercial uses, as well as resort amenities and associated infrastructure, including roadways. As a result, the Project would substantially alter the visual quality and character of the Project site.

Figure 4.1-6 Grading Cross Sections for the Proposed Development Areas



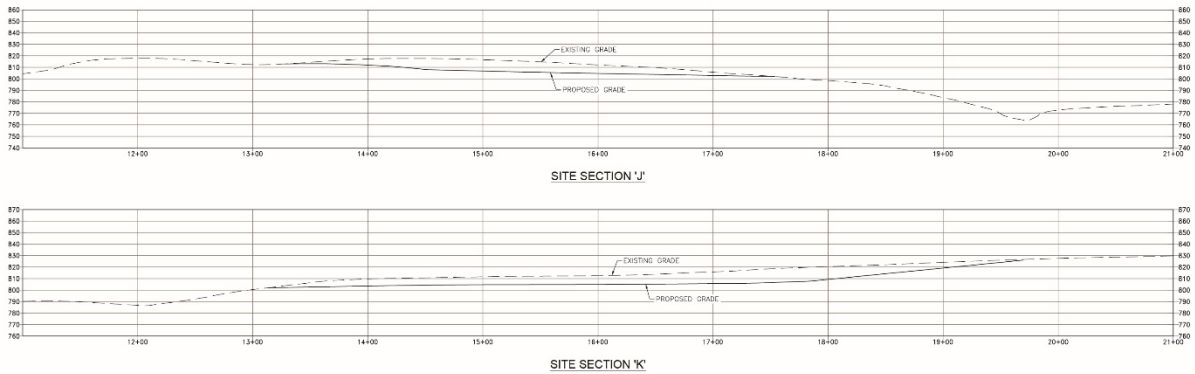
Source: FUSCOE Engineering

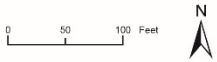
Figure 4.1-7 Grading Cross Sections for the Proposed Development Areas



Source: FUSCOE Engineering

Figure 4.1-8 Grading Cross Sections for the Proposed Fill Soil Borrow Site





Source: FUSCOE Engineering

As discussed in Section 2, Project Description, and shown in Figure 2-3, Conceptual Project Site Plan, the project would organize the 170-acre Project site into major development areas, with 98 acres of agricultural use (vineyards) and open space uses interspersed throughout the site. As shown in Figure 2-4, Land Use Plan, the commercial and commercial/hospitality uses, and the eastern portion of the resort residential uses would be located close to South Vine Street and the proposed South Vine Street realignment. Additional hospitality uses would be located in the northwestern portion of the Project site, away from public viewing areas. Agricultural and open space areas would be sited adjacent to South Vine Street and SR 46 West, and throughout the central portion of the Project site and between the major development areas.

The Project would also include active agricultural operations, including vineyards, as well as passive open space areas on the Project site. As shown on Figure 2-4 in Section 2, Project Description, the agricultural and open space areas along the southern and eastern boundaries of the property would serve as informal buffers between new development on the Project site and surrounding roadways. These informal buffers and agriculture/open space areas would offer a transition from semi-rural to urban visual character. However, implementation of the Project would permanently convert approximately 72 acres on the Project site from rural agriculture and open space to resort residential, hospitality, commercial, and commercial/hospitality development and urban infrastructure. Mitigation would be required to ensure that the change in rural to urban character resulting from buildout of the Project would be less than significant.

Mitigation Measures

Mitigation Measure AES-1, as described above, would provide for coordinated design and implementation of landscaping throughout the Project site reducing the severity of change in aesthetic character on the Project site.

Significance After Mitigation

Implementation of Mitigation Measure AES-1 would minimize potential impacts associated with changes to the visual character of the Project site to a more urban condition by minimizing the Project's adverse effects on visual character-defining natural vegetative features on the Project site, reducing this potential impact to a less than significant level.

Threshold 4:	Would the Project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Impact AES-3 THE PROJECT WOULD INTRODUCE NEW SOURCES OF LIGHT AND GLARE THAT WOULD INCREASE LIGHT LEVELS IN THE VICINITY OF THE PROJECT SITE WITH THE POSSIBILITY OF ADVERSELY AFFECTING DAYTIME AND NIGHTTIME VIEWS. THIS IMPACT WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

As shown on Figure 4.1-1, Figure 4.1-2 through Figure 4.1-5, the Project site is undeveloped, and there is no street lighting or lighted nighttime activity on the site. The majority of light and glare in the Project vicinity is generated by vehicle headlights, street lighting at intersections and along the surrounding roadways, and building lighting and reflective surfaces associated with residential and commercial uses to the north, east, and south of the Project site.

During construction, the Project would temporarily add light and glare from construction equipment and building materials. However, construction would generally not take place after dark, and construction light and glare effects would be minor and temporary, and would not be significant.

The Project would replace existing agricultural and rural lands with hotel, commercial, and resort residential uses. Development of the project site would result in an increase in ambient nighttime lighting through the addition of residential and commercial uses and associated exterior lighting, parking lot and security/safety lighting, and fixtures associated with the proposed structural development. Development of the site would increase glare from the Project site through introduction of new windows and other potentially reflective building materials surfaces, and through increased vehicle activity on the Project site. The nearest off-site residence is located approximately 130 feet to the west from the Project limit and could potentially be affected by lighting overspill from the Project. Although levels of light and glare generated by new buildings and urban activity in the Project site would be comparable to light levels on properties south of SR 46 West and east of U.S. 101, the Project would introduce light and glare across the Project site that would result in a substantial change to nighttime views in the area. This impact would be potentially significant.

Mitigation Measures

Mitigation Measure AES-3 is required to ensure the Project effects on nighttime lighting are minimized.

AES-3 Lighting Plan

The Project applicant shall provide an overall lighting plan that demonstrates that the Project complies with the General Plan Policy LU-2D, which requires that:

1. New lighting shall be shielded and directed downward and that light and glare not adversely affect adjacent properties.
2. For all development located near adjacent properties, exterior lighting shall be designed and constructed in such a manner to direct light overflow away from those properties.
3. All lighting shall be International Dark Sky Association compliant to reduce impacts to nighttime views in the area.
4. All lighting fixtures shall be fully shielded and fully cut-off.
5. Lighting shall be of low intensity, the minimum wattage required and of minimum height.
6. Project building surfaces shall incorporate low-reflectivity window glass and architectural materials.

Plan Requirements and Timing. The owner/applicant shall develop a lighting plan incorporating the above requirements for City staff review. The lighting plan shall show the locations and height of all exterior lighting fixtures and the direction of light being cast by each fixture. This requirement and glare reduction requirements shall be reflected on building plans and improvement plans, subject to review and approval by City staff. City staff shall review the lighting plan for compliance with this condition prior to approval of building permits and development plans. Lighting shall be installed in compliance with this condition prior to final building inspection clearance.

Monitoring. City staff shall site inspect upon installation to ensure that exterior lighting fixtures have been installed consistent with their depiction and specifications on the final lighting plan and that building surfaces are low-reflectivity consistent with building plans.

Significance After Mitigation

Implementation of Mitigation Measure AES-3 would ensure that lighting on the Project site does not spill over to adjacent properties, and would reduce the intensity of nighttime lighting and glare producing features with potential to adversely affect views in the area. Impacts associated with new sources of light and glare would be reduced to a less than significant level.

4.1.3 Cumulative Impacts

The Project, in combination with approved, pending, and proposed development in Paso Robles and nearby unincorporated portions of San Luis Obispo County, would gradually alter the visual makeup of the urban fringe of the city from rural, semi-rural, or suburban to a more suburban or urban condition. As discussed in Section 3, *Environmental Setting*, 4,455 new dwelling units and 2,298,421 square feet of new non-residential space are currently proposed, in process, approved, or under construction in the city. Cumulative development would be located on infill sites throughout the city, as well as large tracts of undeveloped open spaces along the city's urban perimeter. In the Project area, cumulative development would primarily be comprised of hotel and commercial development south of the SR 46 West interchange and east of U.S. 101, near existing commercial and industrial areas. Under existing San Luis Obispo County land use designations, cumulative development outside the city limit north and south of the Project site would be limited to agricultural and rural residential development.

While the Project site falls outside of the Paso Robles city limits, the site is in the city's General Plan Planning Impact Area, and included in the City's Purple Belt Action Plan and Gateway Design Plan. The Project includes a request for a Sphere of Influence (SOI) amendment and an annexation into the city, a Pre-Zoning application, and a General Plan amendment, approval of a Development Plan, and Development Agreement. Consistent with long-term buildout under the General Plan, the Project would be required to adhere to the design standards of the General Plan and would be subject to discretionary review by the Planning Commission and/or City Council.

New development in the city near the Project site would generally be of a type and intensity similar to existing urban uses surrounding the Project site. However, cumulative development on the eastern urban fringe of the city, including the proposed Project, will result in permanent changes to visual resources, including oak covered hillsides and riparian/creek corridors as increased urbanization, including development of the Project, moves the urban/rural boundary further west from the existing city limit and Urban Reserve Line. With implementation of Mitigation Measure AES-1, providing for coordinated design and implementation of landscaping throughout the Project site, this effect on scenic vistas and visual resources within eligible state scenic highways would not be cumulatively significant. Additionally, the transformation in visual character of the southwestern edge of the city from rural to an urban/developed condition would be cumulatively significant. With implementation of Mitigation Measure AES-1, the Project would not substantially degrade the aesthetic character in the vicinity of the Project site and the project's contribution to cumulative conversion of semi-rural land to urban land would be less than significant.

Mitigation Measure AES-3, requiring preparation of an overall lighting plan that demonstrates compliance with the requirements of General Plan Policy LU-2D and International Dark Sky Association requirements would ensure that new development on the Project site would not substantially contribute to significant cumulative impacts related to the introduction of new sources of light and glare. Potential cumulative impacts from other projects in the vicinity would be evaluated on a case-by-case basis based on conditions and views associated with individual sites and

the planned design of specific projects. Cumulative impacts associated with new sources of lighting and glare would be less than significant.

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4.2 Agriculture and Forestry Resources

This section identifies the agriculture resources that occur on and in the vicinity of the Project site, and evaluates the Project's potential impacts to those resources. The analysis presented in this section is based on the current federal, state, and local farmland and agricultural classifications for the Project site.

4.2.1 Setting

a. Regional Agricultural Resources

California agriculture ranks first in the nation, producing over 400 commodities and over one-third of all U.S. grown vegetables and two-thirds of all U.S. grown fruits and nuts (California Agricultural Statistics Review, 2017-2018, California Department of Food and Agriculture [CDFA]).

San Luis Obispo County and the Central Coast region are important key agricultural centers within the State of California. Wine grapes and strawberries lead a list of high value specialty crops grown in the County's fertile soils and Mediterranean climate. The region's agricultural industry provides employment and income directly for those in agriculture, and helps drive growth in the tourism industry, which in turn generates further economic activity and consumer spending. As shown in Table 4.2-1, agricultural production has risen from $602.9 million in 2008 to $924.7 million in 2017. Wine grapes, strawberries, and cattle and calves produced the most revenue in the County, bringing in approximately $267.7 million, $228.2 million, and $43.2 million, respectively. Other crops in the County's top ten agricultural producers include broccoli, vegetable transplants, avocados, cut flowers, cauliflower, head lettuce, and lemons (County of San Luis Obispo Department of Agriculture/Weights and Measures 2017).

Table 4.2-1 San Luis Obispo County Comparative Agricultural Values

Year	Value
2008	$602,922,000
2009	$623,095,000
2010	$712,808,000
2011	$732,413,000
2012	$861,820,000
2013	$921,132,000
2014	$900,070,000
2015	$828,173,000
2016	$929,930,000
2017	$924,698,000

Source: County of San Luis Obispo Department of Agriculture/Weights and Measures 2017

Table 4.2-2 summarizes agricultural productivity by crop type in San Luis Obispo County in 2017, including harvested acreage and total gross values.

Table 4.2-2 San Luis Obispo County Agricultural Productivity Summary, 2017

Crop Types	Harvested Acres	Total Gross Values
Animal Industry	n/a	$47,909,000
Field Crops	1,040,293	$16,679,000
Fruit and Nut Crops	56,363	$566,592,000
Vegetable Crops	24,749	$210,716,000
Nursery Products	n/a	$82,802,000

Source: County of San Luis Obispo Department of Agriculture/Weights and Measures 2017

b. City Land in Agricultural Production

The City of Paso Robles is an urban area of the county and, by its nature, does not contain large-scale agricultural activities within the city limits. These activities are typically found surrounding the city in unincorporated areas. The Project site is currently located in unincorporated San Luis Obispo County, but is adjacent to the corporate boundary of Paso Robles, and would be annexed to the city as part of the Project. The city functions as an important location for agricultural commerce because of its location within an agricultural region known for its production of wine grapes, wines, and other agricultural products. A limited number of properties within the City of Paso Robles are designated for agricultural uses, and are generally concentrated north of SR 46 East and near the Paso Robles Municipal Airport.

c. Project Site Agricultural and Forestry Resources

Historical and Current Agricultural Uses

The Project site is located within the unincorporated area of San Luis Obispo County, adjacent to the southwest edge of the city limits. The Project site is currently undeveloped and used for cattle grazing. The northern portion of the property contains almond orchards that have not been harvested or maintained for approximately 30 years. The Project site is in a transitional land use area, with developed commercial uses to the south and east, across SR 46 West and U.S. 101, respectively. The adjacent parcels to the northwest of the project area (approximately 100 acres) are under the same ownership and were planted with vineyards after 2015. To the north and west, the land is subdivided into rural lots of approximately 10 to 20 acres in size.

Soils and Crop Production

The following five soils types are found on the Project site:

- Linne-Calodo complex (9-30 percent slopes)
- Linne-Calodo complex (50-75 percent slopes)
- Lockwood shaly loam (2-9 percent slopes)

- Nacimiento-Los Osos complex (9-30 percent slopes)
- Nacimiento-Los Osos complex (30-50 percent slopes)

The Lockwood shaly loam (2-9 percent slopes) is designated by the NRCS as farmland of statewide importance. The Linne-Calodo complexes (9-30 percent and 50-75 percent slopes) and Nacimiento-Los Osos complexes (9-30 percent and 30-50 percent slopes) on the Project site are not prime farmland. The quality, capability, and classification of the soils on the Project site are discussed further in Section 4.2.1(d).

Forestry Resources

The California Public Resources Code (PRC; Section 12220[g]) defines forestland as land that can support 10 percent native tree cover and woodland vegetation of any species, including hardwood, under natural conditions, and that allows for management of one or more forest resource including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation and other public benefits.

Approximately 18.8 acres of coast live oak woodland, approximately 1.6 acres Alvord oak woodland, and 4.5 acres of non-native (*Ailanthus altissima*, tree of heaven) woodland is located on the Project site. Mature coast live oaks form a near continuous canopy and offers cover for many common birds and small mammals. Because the coast live oak woodland and alvord oak woodland occupy approximately 14.6 percent of the Project site, these communities satisfy the requirements of PRC Section 12220(g) (see Section 4.4, *Biological Resources*, for further discussion).

d. Soil Characteristics and Agricultural Capability Classifications

Soil Quality

Land Capability Class Rating

The United States Department of Agricultural (USDA) Natural Resources Conservation Service (NRCS) developed a system to generally classify soil types. The land capability classification describes soils types, their physical characteristics and limitations, and their suitability for agriculture and other uses. The land capability classification system uses eight capability classes (I through VIII) to rank soils. Generally, yields and profits from agricultural uses are more difficult to obtain as the ratings of the capability classification system increases. Prime farmlands generally correspond to capability ratings of Class I or Class II. Class III soils are considered “good,” and Class IV soils are considered “fairly good” for agricultural use. Soils in Classes V through VIII are generally unsuited for agriculture, although these soils may be used for range, watershed, wildlife, and other non-intensive agricultural uses. Descriptions of the soil classifications, as defined by the NRCS, are provided in Table 4.2-3.

Table 4.2-3 Land Capability Classification of Soils

Class	Definition
I	Soils have few limitations that restrict their use.
II	Soils have moderate limitations that reduce the choice of plants, or that require special conservation practices.
III	Soils have severe limitations that reduce the choice of plants, require conservation practices, or both.
IV	Soils have very severe limitations that reduce the choice of plants, require very careful management, or both.
V	Soils are not likely to erode but have other limitations; impractical to remove that limits their use largely to pasture or range, woodland, or wildlife habitat.
VI	Soils have severe limitations that make them generally unsuited to cultivation and limit their use largely to pasture, or range, woodland, or wildlife habitat.
VII	Soils have very severe limitations that make them unsuited to cultivation and that restrict their use largely to pasture or range, woodland, or wildlife habitat.
VIII	Soils and landforms have limitation that preclude their use for commercial plant production and restrict their use to recreation, wildlife habitat, or water supply, or to aesthetic purposes.

Source: NRCS 2001

Capability subclass is the second category in the land capability classification system, which are designated by adding a subclass (denoted as “e”, “w”, “s”, or “c”) to the Class numeral. Descriptions of the soil subclassifications, as defined by the NRCS, are provided in Table 4.2-4.

Table 4.2-4 Land Capability Subclassification of Soils

Subclass	Definition
e	Soils for which the susceptibility to erosion is the dominant problem or hazard in their use, and based on major soil factors including erosion susceptibility and past erosion damage.
w	Soils for which excess water is the dominant hazard or limitation affecting their use, such as poor soil drainage, wetness, a high water table, and overflow.
s	Soils that have soil limitations within the rooting zone, such as shallowness of the rooting zone, stones, low moisture-holding capacity, low fertility that is difficult to correct, and salinity or sodium content.
c	Soils for which the climate (the temperature or lack of moisture) is the major hazard or limitation affecting their use.

Source: NRCS 2001

Within a capability class, where the limitation types are essentially equal, the subclasses have the following order: e, w, s, and c. In Class I, there are no subclasses because the soils of this class have few limitations. Class V contains only Subclasses w, s, or c, because the soils in Class V are subject to little or no erosion (NRCS 2001).

Storie Index Rating

NRCS also assigns Storie Index Ratings (Grades 1 through 6), which rank soil characteristics according to their suitability for agriculture. Under this system, soils identified as less than prime can function as prime soils when limitations (such as poor drainage, slopes, or soil nutrient deficiencies)

are partially or completely addressed. Descriptions of the Storie Index Ratings are provided in Table 4.2-5.

Table 4.2-5 Storie Index Rating System

Grade	Index Rating	Definition
1—Excellent	80 to 100	Soils are well suited to intensive use for growing irrigated crops that are climatically suited to the region.
2—Good	60 to 79	Soils are good agricultural soils, although they may not be so desirable as Grade 1 because of moderately coarse, coarse, or gravelly surface soil texture; somewhat less permeable subsoil; lower plant available water holding capacity, fair fertility; less well-drained conditions, or slight to moderate flood hazards, all acting separately or in combination.
3—Fair	40 to 59	Soils are only fairly well suited to general agricultural use and are limited in their use because of moderate slopes; moderate soil depths; less permeable subsoil; fine, moderately fine or gravelly surface soil textures; poor drainage; moderate flood hazards; or fair to poor fertility levels, all acting alone or in combination.
4—Poor	20 to 39	Soils are poorly suited. They are severely limited in their agricultural potential because of shallow soil depths, less permeable subsoil, steeper slopes, or more clayey or gravelly surface soil textures than Grade 3 soils, as well as poor drainage, greater flood hazards, hummocky micro-relief, salinity, or fair to poor fertility levels, all acting alone or in combination.
5—Very poor	10 to 19	Soils are very poorly suited for agriculture, are seldom cultivated, and are more commonly used for range, pasture, or woodland.
6—Nonagricultural	Less than 10	Soils are not suited for agriculture at all because of very severe to extreme physical limitations, or because of urbanization.

Source: Special Publication 3203, Storie Index Soil Rating, University of California Division of Agricultural Sciences, December 1978

Table 4.2-6 lists the soil types found on the Project site, the acreage and the general location of each soil type, along with their land capability classifications and Storie Index ratings, which are described in detail below. Table 4.2-6 also includes the rating of each soil type from the San Luis Obispo County Conservation and Open Space Element (COSE). Soils contained in this county listing are considered Important Agricultural Soils of San Luis Obispo County (San Luis Obispo County 2008:Table SL-2).

Table 4.2-6 Agricultural Ratings of Soils on the Paso Robles Gateway Project Site

Map Symbol	Soil Type and Characteristics	Acres	Location on the Project Site	Land Capability Classification		Storie Index Rating	COSE Table SL-2
				Irrigated	Non-Irrigated		
152	Linne-Calodo complex Well drained, 9 to 30 percent slopes	37.8	Northern border (corresponds with almond orchard), northwestern corner, and southern border (corresponds with oak riparian area along the creek)	IVe	IVe	4	Other Productive Soils
154	Linne-Calodo complex Well drained, 50 to 75 percent slopes	1.8	Northeastern border	VIIe	VIIe	5	Not Listed
158	Lockwood shaly loam Well drained, 2 to 9 percent slopes	28.9	Southern portion and eastern border	IIe	IVe	3	Farmland of Statewide Importance
179	Nacimiento-Los Osos complex Well drained, 9 to 30 percent slopes	87.9	Majority of the central portion	IVe	IVe	NR	Other Productive Soils
180	Nacimiento-Los Osos complex Well drained, 30 to 50 percent slopes	13.6	Southern portion (corresponds with oak riparian area along the creek)	VIe	VIe	4	Not Listed

NR = Not rated.
Source: Web Soil Survey, NRCS, Accessed November 2018; County of San Luis Obispo 2010

Accordingly, all soils on the Project site are rated Class IV, Class VI, and Class VII, which have varying degrees of limitation that make them unsuited to cultivation. There are four groundwater wells available for use on the Project site and the water quality of these wells water is suitable for irrigation. However, there is no onsite water use at this time. If an irrigation system were to be installed, then some soils would be better suited to cultivation. Lockwood shaly loam is rated Class II, if irrigated. The remaining soils would be rated Class IV, Class VI, and Class VII if irrigated.

e. Farmland Mapping and Monitoring Program

The California Department of Conservation (DOC) Division of Land Resource Protection implements the Farmland Mapping and Monitoring Program (FMMP), which recognizes the suitability of land for agricultural production by considering physical and chemical characteristics of the soil, such as soil temperature range, depth of the groundwater table, flooding potential, rock fragment content, and rooting depth as well as the location, growing season, and moisture available to sustain high-yield crops.

The FMMP is non-regulatory and was developed to inventory land and provide categorical definitions of Important Farmlands and consistent and impartial data to decision-makers for use in assessing present status, reviewing trends, and planning for the future of California's agricultural land resources. The program does not necessarily reflect local General Plan actions, urban needs,

changing economic conditions, proximity to market, and other factors, which may be taken into consideration when government considers agricultural land use policies. FMMP produces Important Farmland Maps, which account for both resource quality (soils) and land use information. FMMP data is also released in the biennial California Farmland Conversion Report.

Designated categories of FMMP Important Farmland include the following:

- **Prime Farmland** has the most favorable combination of physical and chemical features, enabling it to sustain long-term production of agricultural crops. This land possesses the soil quality, growing season, and moisture supply needed to produce sustained high yields. In order to qualify for this classification, the land must have produced irrigated crops at some point during the two update cycles prior to National Resource Conservation Service (NRCS) mapping.
- **Farmland of Statewide Importance** possesses minor shortcomings when compared to Prime Farmland, such as greater slopes and/or less ability to store moisture. In order to qualify for this classification, the land must have produced irrigated crops at some point during the two update cycles prior to NRCS mapping.
- **Unique Farmland** is of lesser quality soils used for the production of the state's leading agricultural crops. Unique Farmland includes areas that do not meet the above stated criteria for Prime Farmland or Farmland of Statewide Importance, but that have been used for the production of specific high economic value crops during the two update cycles prior to the mapping date. It has the special combination of soil quality, location, growing season, and moisture supply needed to produce sustained high quality and/or high yields of a specific crop when treated and managed according to current farming methods.
- **Farmland of Local Importance** is important to the local agricultural economy, as determined by the County Board of Supervisors and a local advisory committee.
- **Farmland of Local Potential** is land having the potential for farmland, which have Prime or Statewide characteristics and are not cultivated.
- **Grazing Land** contains existing vegetation that is suited to the grazing of livestock.
- **Urban and Built-up Land** is occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.
- **Other Land** is land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

According to Appendix G of the State CEQA Guidelines, Important Farmland under the FMMP includes Prime Farmland, Farmland of Statewide Importance, and Unique Farmland. The best quality land is Prime Farmland. The remaining FMMP categories are used for reporting changes in land use as required for the FMMP biennial farmland conversion report.

According to the San Luis Obispo County Important Farmland 2016 map, published by DOC's Division of Land Resource Protection, the Project site contains Unique Farmland, Farmland of Local Potential, and Grazing Land. The following FMMP mapping categories are found on the property (see Figure 4.2-1):

- Unique Farmland (33.5 acres)
- Farmland of Local Potential (27.2 acres)
- Grazing Land (109.3 acres)

f. Regulatory Setting

Public Resources Code (PRC) Section 21060.1

Public Resources Code (PRC) Section 21060.1 defines agricultural land for the purposes of assessing environmental impacts under the FMMP. As stated earlier, the FMMP inventories agricultural land use and land use changes throughout California.

Land Conservation Act (Williamson Act)

Preservation of agricultural, recreational, and open space lands through agricultural preserve contracts between the County and property owners is a technique encouraged by the state to implement general plan policy. Agricultural preserve contracts are executed through procedures enabled by the California Land Conservation Act of 1965, also known as the Williamson Act. A contract may be entered into for property with agricultural, recreational, and open space uses in return for decreased property taxes. The County Agricultural Preserve Rules of Procedure require certain minimum parcel sizes and land use restrictions applicable to agricultural preserve lands under their respective contracts. The Rules of Procedure additionally outline agricultural and compatible uses for lands subject to land conservation contracts. Land Conservation Act contracts preserve agriculture and open space over a rolling term 10-year contract. The inclusion of a parcel in a Williamson Act contract is entirely voluntary and must have the consent of the property owner.

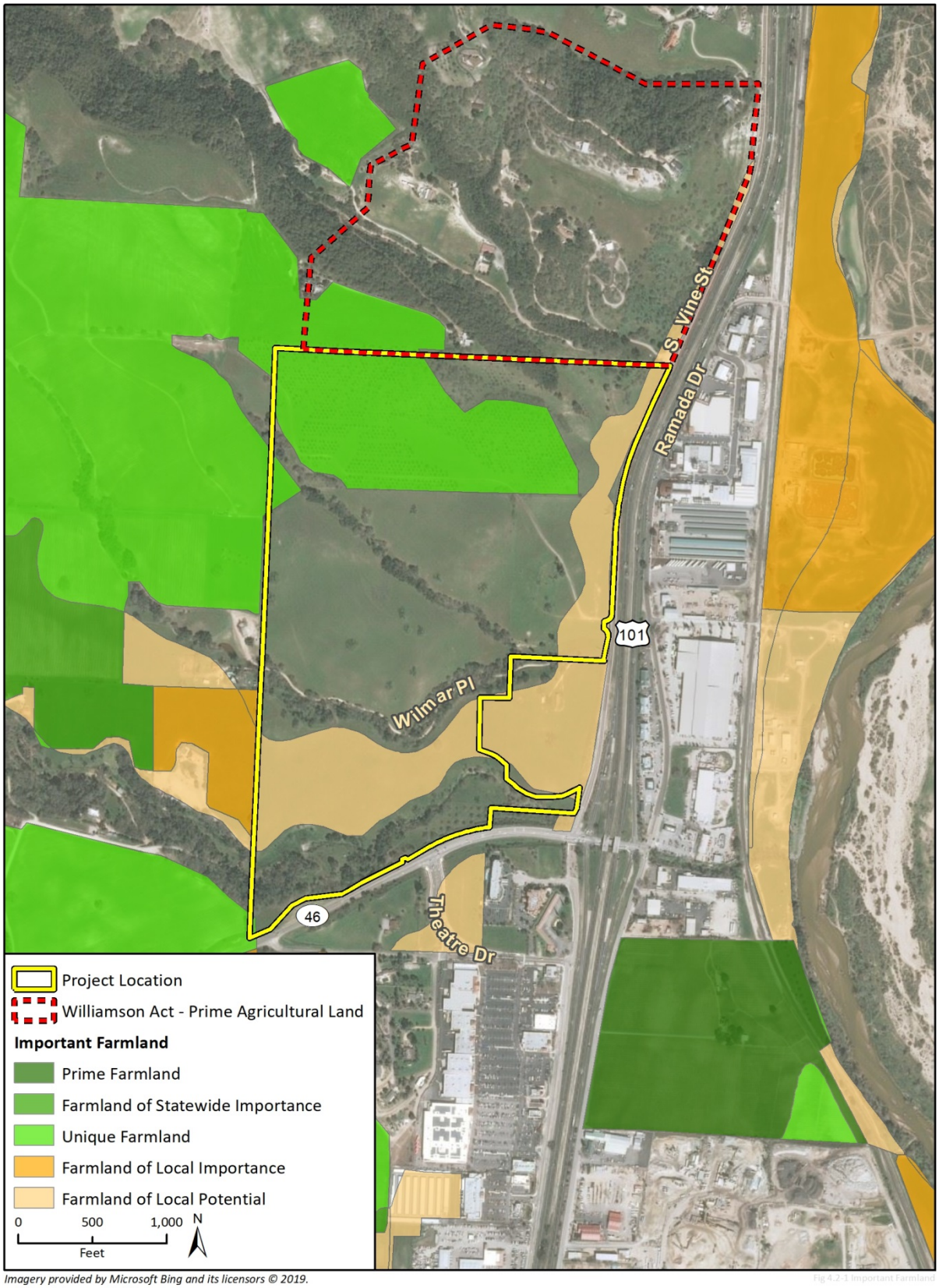
No lands within the Project site or City of Paso Robles are enrolled in a Williamson Act contract. However, the property adjacent to the northern boundary of the Project site, in the unincorporated area of the County, is designated by the DOC as Williamson Act – Prime Agricultural Land (County of San Luis Obispo, 2014). Figure 4.2-1 shows the DOC Important Farmland classifications and Williamson Act contracted lands on and surrounding the Project site.

San Luis Obispo Local Agency Formation Commission

Local Agency Formation Commissions (LAFCO) are state agencies that were created in 1963 to help organize, manage, and regulate the provision of public services to development at the local level. San Luis Obispo LAFCO must approve any annexation or Sphere of Influence (SOI) adjustment request made by the City, based on policies that discourage sprawl, preserve prime agriculture, and ensure the provision of public services.

LAFCO must consider the effect that any annexation proposal may produce on existing agricultural lands. By guiding development toward vacant urban land and away from agricultural land, LAFCO assists with the preservation of valuable agricultural resources. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code Section 56000 et seq.), which provides LAFCO with its authority, strongly discourages the use of prime agriculture land for development. San Luis Obispo LAFCO has adopted Agricultural policies, last reviewed in January 2018, to help preserve agricultural resources in the County. San Luis Obispo LAFCO Agricultural Policy 12 applies to projects that propose annexation of land containing prime agricultural soils. This policy requires that such projects include mitigation requiring a substitution ratio of at least 1:1 for the prime land to be converted from agricultural use.

Figure 4.2-1 Important Farmland & Williamson Act Land in the Vicinity of the Project Site



Imagery provided by Microsoft Bing and its licensors © 2019.
Additional data provided by DOC 2012, DOC 2018.

Fig 4.2-1 Important Farmland

County of San Luis Obispo General Plan

Although not binding relative to the City of Paso Robles, the County's General Plan Agriculture Element includes policies and programs that may affect the City's ability to annex and develop unincorporated lands that may either be designated as Agriculture, contain prime soils, or be in agricultural production. LAFCO will also consider these policies when considering any annexation request, or adjustment to the City's existing Sphere of Influence. The following policies are most relevant in this regard.

Note that while County policies AGP22 and AGP23 apply to development in the County (and not the City), they have the potential to allow higher density clustered development adjacent to the City, which could be considered potentially inconsistent with the City's policies with respect to maintaining an open space/purple belt area around the City. For this reason, these policies are described below.

Policy AG2: Conserve Agricultural Resources

a. Maintain the agricultural land base of the county by clearly defining and identifying productive agricultural lands for long-term protection.
b. Conserve the soil and water that are the vital components necessary for a successful agricultural industry in this county.
c. Establish land-use policies in this element that support the needs of agriculture without impeding its long-term viability.

Policy AG3: Protect Agricultural Lands

a. Establish criteria in this element for agricultural land divisions that will promote the long-term viability of agriculture.
b. Maintain and protect agricultural lands from inappropriate conversion to non-agricultural uses. Establish criteria in this element and corresponding changes in the Land Use Element and Land Use Ordinance for when it is appropriate to convert land from agricultural to non-agricultural designations.

Policy AGP24: Conversion of Agricultural Land

a. Discourage the conversion of agricultural lands to non-agricultural uses through the following actions:
    1. Work in cooperation with the incorporated cities, service districts, school districts, the County Department of Agriculture, the Agricultural Advisory Liaison Board, Farm Bureau, and affected community advisory groups to establish urban service and urban reserve lines and village reserve lines that will protect agricultural land and will stabilize agriculture at the urban fringe.
    2. Establish clear criteria in this plan and the Land Use Element for changing the designation of land from Agriculture to non-agricultural designations.
    3. Avoid land redesignation (rezoning) that would create new rural residential development outside the urban and village reserve lines.
    4. Avoid locating new public facilities outside urban and village reserve lines unless they serve a rural function or there is no feasible alternative location within the urban and village reserve lines.

City of Paso Robles Regulations

City of Paso Robles General Plan

The City of Paso Robles General Plan Open Space Element (2003) addresses the conservation and protection of agricultural land in the City for its scenic, economic, and recreational value. The Open Space Element describes agricultural land uses within the City, identifies prime agricultural soils, discusses the goals and intent of the City's Purple Belt Action Plan, defines natural resources, and discusses land use conflicts between agricultural operations and residential land uses. The Open Space Element contains the following policy and action items that would apply to development on the Project site:

Policy OS-1A: Open Space/Purple Belt. Develop an open space plan/program for establishing an open space/ purple belt (agricultural preserve area) surrounding the City.

Action Item 4. Review development projects to ensure they complement the natural environment and agricultural lands, as applicable, in their location and design.

Action Item 6. Strive to establish an agricultural buffer between publicly-accessible open spaces and bordering agricultural lands.

Action Item 8. Investigate and implement as appropriate and feasible with San Luis Obispo **County**, establishment of permanent agricultural and open space areas that buffer communities from continuous urbanization and promote efficient growth patterns.

Action Item 10. Implement strategies that help preserve or protect agriculture, including:

- Establishment of agricultural buffer easements, berms and/or vegetative screening, on property proposed for urban development as a condition of approval of discretionary development applications.
- Implement the City's adopted "right-to-farm" ordinance.
- Participation in the Williamson Act and other farmland preservation programs.

Action Item 11. Require disclosure agreements for new non-agricultural development within 500 feet of an existing agricultural use. Such disclosure agreements should describe potential nuisances (e.g., dust, noise, pesticide spraying, etc.) **associated** with normal agricultural operations.

The General Plan Land Use Element (2014) establishes a planned land use pattern and long-range policies to guide growth within the City Limit and Sphere of Influence (SOI). The Land Use Element contains the following policy and action items relating to the Purple Belt and protection of agricultural and open space areas in and surrounding the City:

Policy LU-2E: "Purple Belt" (Open Space/Conservation Areas around the City). Create a distinct "Purple Belt" surrounding the City by taking actions to retain the rural, open space, and agricultural areas.

Action Item 4. Implement strategies that help preserve or protect agriculture beyond the City limits, including:

- Establishment of agricultural buffer easements, berms and/or vegetative screening, on property proposed for urban development as a condition of approval of discretionary development applications.

- Implement the City's adopted "right-to-farm" ordinance.
- Participation in the Williamson Act and other farmland preservation programs.

Action Item 5. Require disclosure agreements for new non-agricultural development within 500 feet of an existing agricultural use. Such disclosure agreements should describe potential nuisances (e.g., dust, noise, pesticide spraying, etc.) associated with normal agricultural operations.

Paso Robles Purple Belt Action Plan

The Paso Robles Purple Belt Action Plan was adopted by the City in September 2009. The purpose of the Purple Belt Action Plan is to supplement the City's General Plan with the intent to create a basis for an eventual physical boundary for urban growth and development outside the current City boundary. The term "purple belt" is synonymous with "green belt" but recognizes the primary agricultural use in Paso Robles as vineyards (City of Paso Robles 2009). According to the Purple Belt Action Plan, the Project site is located in a "High Priority Area," which is defined as areas that are in agricultural production, include large parcels, are visible from major highways and roads, are potentially more susceptible to development, and/or have high-quality aesthetic values (Paso Robles November 2009; pg. 11). The Purple Belt Action Plan identifies the following principles that are applicable to the Project (see Table 4.10-1 for consistency of Project with applicable principals).

- The Purple Belt Program will maintain the City's community character and way of life, while also recognizing the need to accommodate additional urban development.
- The Purple Belt Program will support the continuation of agriculture and ranching.
- Landowner participation in the Purple Belt program will be strictly voluntary.
- The Purple Belt Program will provide additional options to landowners interested in maintaining their land in agriculture in perpetuity, including opportunities to sell, donate, or transfer their development rights in exchange for cash, tax credits, and/or other benefits.
- The City will explore a variety of funding mechanisms to help support the program.

City of Paso Robles Right to Farm Ordinance

In response to the need to protect agricultural land and operations, the City Council adopted the right to farm ordinance (Paso Robles Municipal Code Section 21.16J.220) that declares the policy of the City to enhance and encourage agricultural operations within the City and provide residents living within 300 hundred feet of property in the agricultural district notification of those persons' and/or entities' right to farm. The ordinance finds:

> "Where nonagricultural land uses occur near agricultural areas, agricultural operations frequently become the subjects of nuisance complaints due to lack of information about such operations. As a result, agricultural operators may be forced to cease or curtail their operations. Such actions discourage investments in farm improvements to the detriment of agricultural uses and the viability of the city's agricultural industry as a whole."

The purpose of the right to farm ordinance is to reduce the City's loss of its agricultural resources by clarifying the circumstances under which agricultural operations may be considered a nuisance and to notify prospective purchasers of land in close proximity to agricultural operations of the inherent problems associated with such purchases. Potential problems include sounds, dust, odor, fertilizers, pesticides, smoke, and vibrations.

4.2.2 Impact Analysis

a. Methodology and Significance Thresholds

The following thresholds are based on Appendix G of the State CEQA Guidelines. Impacts would be significant if the project would result in any of the following:

1. Conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use;
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract;
3. 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 51104[g]);
4. Result in the loss of forest land or conversion of forest land to non-forest use; and/or
5. 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.

b. Project Impacts and Mitigation Measures

Threshold 1:	Would the Project result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
Threshold 5:	Would the Project result in changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland to non-agricultural use?

Impact AG-1 IMPLEMENTATION OF THE PROJECT WOULD REQUIRE CONVERSION OF APPROXIMATELY 28.9 ACRES OF LAND WITH A SOIL TYPE CLASSIFIED AS FARMLAND OF STATEWIDE IMPORTANCE TO NON-AGRICULTURAL USES. THIS IMPACT WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

Current agricultural uses on the Project site are limited to intermittent grazing. A non-irrigated, non-commercial almond orchard also exists on the northern portion of Project site. This 33.5-acre area is mapped by the FMMP as Unique Farmland. This portion of the Project site would be graded and developed as the Hillside Hotel and associated parking and amenities. As defined in Section 4.2.1(e), Unique Farmland includes areas that do not meet the criteria for Prime Farmland or Farmland of Statewide Importance, but that have been used for the production of specific high economic value crops during the two update cycles prior to the mapping date. Although designated as Unique Farmland, the almond orchard has not been maintained for at least several decades and no longer provides a high value crop, so its conversion to the Hillside Hotel and parking would not represent a loss in agricultural productivity.

The Project also involves development on areas mapped with Lockwood shaly loam (2-9 percent slopes) soils, which are designated by the NRCS as farmland of statewide importance. This soil is present on the eastern portion of the Project site fronting South Vine Street and on the flatter hillside on the southern portion of the site. The areas of the Project site containing this soil type

adjacent to South Vine Street would be developed with resort residential uses, internal roadways, the realigned South Vine Street, and some cultivated vineyards. As a conservative estimate, the Project would result in the conversion of approximately 28.9 acres of this soil to non-agricultural uses.

In order to implement the City's Purple Belt Action Plan and related policy in the General Plan, the Project would also involve a substantial agricultural component for vineyard development, as well as open space areas. As proposed, approximately 82 acres of the Project site would be designated within the Agriculture land use category and available for agricultural use. Approximately 16.6 additional acres would remain as habitat open space. San Luis Obispo County LAFCO sets forth specific policies when considering annexation proposals that involve annexation of agricultural resources. LAFCO Policy 12 sets forth specific requirements for annexations that include the annexation of prime agricultural land and provides mitigation options to off-set the conversion of prime agricultural land at a 1:1 ratio. The mitigation options are as follows:

I. Acquisition and dedication of farmland, development rights, and/or agricultural/conservation easements to permanently protect farmlands within the annexation area or lands with similar characteristics within the County Planning Area
II. Payment of in-lieu fees to an established, qualified, mitigation/conservation program or organization sufficient to fully fund the acquisition and dedication activities defined above by the Cortese-Knox-Hertzberg Act, qualification (a).
III. Other measures agreed to by the applicant and the land use jurisdiction that meet the intent of replacing prime agricultural land at a 1:1 ratio.

An anticipated future application submittal associated with the Project would include a Phased Vesting Tentative Tract Map which would create parcels to accommodate the proposed hotels and/or residences, commercial centers, along with vineyards and open space. The Project would involve improvements to provide irrigation water to the new vineyards using the existing groundwater wells on the property. The vineyards would be installed as soon as practicable, but their timing may depend on the site grading and provision of access roads, water facilities, and related improvements.

In summary, the Project would adversely affect areas with soils that are designated by NRCS as farmland of statewide importance and, thus, soils that represent an important agricultural resource on the Project site. The Project would result in potentially significant impacts associated with the conversion of farmland of statewide importance (NRCS) to non-agricultural uses.

Mitigation Measures

Mitigation Measure AG-1 is required to reduce Project effects of conversion of agricultural land and farmland of statewide importance (NRCS) to non-agricultural uses and meet LAFCO annexation requirements for prime agricultural land.

AG-1 Agricultural Preservation and Irrigation

Of the 82 acres on the Project site designated within the Agricultural land use category, as shown on Figure 2-4 in Section 2, *Project Description*, at least 28.9 acres of irrigated vineyard shall be recorded in a permanent agricultural/conservation easement and the remaining acreage shall be used as additional vineyard or other agricultural use. The land to be recorded in permanent agricultural/conservation easement is not currently designated as prime farmland. In order to

constitute prime agricultural land for a 1:1 offset to meet LAFCO annexation requirements, the area recorded in a permanent agricultural/conservation easement shall be irrigated. The full easement area shall be maintained with installation of irrigation infrastructure.

Plan Requirements and Timing. The Project applicant shall demonstrate on Project plans the areas of the Project site that will be designated for agricultural use before final plan approval. The Project applicant shall also submit proof of permanent agricultural/conservation easement prior to final plan approval. Irrigation to agricultural easement areas shall be installed and verified prior to issuance of the first building permit for the Project.

Monitoring. City shall verify that the agricultural areas are designated on plans prior to final plan approval. City shall verify recordation of agricultural/conservation easement and installation of irrigation for agricultural uses prior to issuance of first building permit.

Significance After Mitigation

The required agriculture conservation easement will preserve 32.3 acres for agriculture and open space uses in perpetuity, which would exceed the 1:1 offset to meet LAFCO annexation requirements for the 28.9 acres of agricultural land impacted by the Project. Irrigation of the agriculture conservation easement would meet the LAFCO annexation requirements for prime agricultural land and serve to off-set the conversion of prime agricultural soils on the Project to non-agricultural uses. With implementation of Mitigation Measure AG-1, impacts related to agricultural conversion would be less than significant.

Threshold 5:	Would the Project result in changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland to non-agricultural use?

Impact AG-2 THE PROJECT WOULD RESULT IN DEVELOPMENT OF NEW RESORT RESIDENTIAL, HOTEL, AND COMMERCIAL USES ADJACENT TO EXISTING VINEYARDS, WHICH MAY RESULT IN CONFLICTS THAT WOULD ADVERSELY AFFECT THE LONG-TERM VIABILITY OF AGRICULTURAL USES ON ADJACENT PROPERTIES. THIS IMPACT WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

Agricultural-urban interfaces have the potential for conflicts between agricultural practices and adjacent landowners. Agricultural operations may create risks and nuisances for urban residences and businesses. Health risks and nuisances potentially created by agricultural operations in the Project area include, but are not limited to, exposure to pesticide and herbicide applications, exposure to dust (from soil preparation), exposure to noise (from machinery and trucks), odors, and exposure to mosquitoes breeding in flooded fields. Conversely, urban land uses and the associated population create operational difficulties for agriculture. Increased restrictions on agriculture processes and other aspects of encroachment on agricultural areas can lower productivity, increase costs, and otherwise impair agricultural operations. Urban development could generate air pollution that could be harmful to crops, in certain instances In addition, there is the potential for invasive species and pests to be transferred from landscape areas to the agricultural areas.

Development on the Project site could result in conflicts between continuing agricultural operations on adjacent properties and non-agricultural uses within Project site. Potential short-term and long-term land use conflicts between active agricultural operations and other land uses are described below.

Short-Term Conflicts with Agricultural Uses

As described in Section 2, *Project Description*, development of the Project site would occur in two phases, resulting in a construction period that would last for several years. Each phase of construction would require extensive earthwork, which would result in fugitive dust that could impact off-site crops and other agricultural activities. Implementation of standard dust control measures required by the San Luis Obispo Air Pollution Control District (SLOAPCD), such as watering dirt to dampen and prevent or alleviate dust nuisance and covering stockpiles to prevent dust leaving the site, during each phase would minimize potential impacts to adjacent agricultural operations during construction. Section 4.3, *Air Quality*, describes standard dust control measures required by SLOAPCD that would apply to construction on the Project site (Mitigation Measure AQ-2), which would incrementally reduce potential impacts to the productivity of neighboring agricultural uses. Section 4.8, *Hazards and Hazardous Materials*, describes the construction traffic control plan required by Mitigation Measure HAZ-2 during grading and construction, which would ensure continuous access for adjacent properties. As addressed in Section 4.14, *Utilities/Service Systems*, the Project's anticipated water demand can be supported by the City's existing water supply sources. With implementation of SLOAPCD dust control measures, as required by Mitigation Measure AQ-2, implementation of a construction traffic control plan as required by Mitigation Measure HAZ-2, and City policies to provide buffers between urban and agricultural uses impacts from short-term conflicts with agricultural uses during project construction would be less than significant.

Long-Term Conflicts at Agricultural Uses

Urban development in proximity to farmland could create conflicts with agricultural operations adjacent to the Project site. The Project site is identified as a High Priority Area in the Purple Belt Action Plan. The increase in the number of residents and visitors on the Project site and new accessible amenities, internal pedestrian pathways, and roadways would increase public access near existing agricultural areas, increasing the potential for conflicts, such as vandalism to farm equipment or fencing, and theft of crops at adjacent properties. These effects can result in direct economic impacts to agricultural operations, potentially impacting the overall economic viability of continued agricultural operations. These conflicts could result in the conversion of adjacent farmland to non-agricultural uses. In addition, the installation of new infrastructure has the potential to facilitate development of nearby agricultural land. The potential for the project to induce new growth is discussed in Section 5, Other CEQA Required Discussions, Subsection 5.1, Growth Inducement.

Long-Term Conflicts at Residential Uses

Residents living adjacent to agricultural operations commonly cite odor nuisance impacts, noise from farm equipment, dust, and pesticide spraying as typical sources of conflict. The increase in residents on the Project site would increase the potential for these conflicts to arise with neighboring agricultural properties.

Impacts due to conflicts between proposed uses would be potentially significant.

Mitigation Measures

Mitigation Measures AG-2(a) and AG-2(b) are required to avoid or minimize potential conversion of farmland to non-agricultural use as a result of conflicts between new resort residential, hotel, and

commercial uses and adjacent agricultural operations. In addition, Mitigation Measure AQ-2(g) in Section 4.3, *Air Quality*, would require implementation of standard SLOAPCD dust control measures that would apply to construction on the Project site, which would incrementally reduce potential impacts to the productivity of neighboring uses.

AG-2(a) Agricultural Buffers

Agricultural buffer easements, berms, and/vegetative screening shall be implemented on newly recorded lots of the Project site adjacent to active agricultural uses outside of the Project site. Agricultural buffer easements, berms, and/vegetative screening shall provide a minimum of 50 feet between active agricultural land uses outside of the Project site along the northwestern and southwestern boundaries between proposed development areas 3 and 5 and adjacent properties. These buffers between the proposed uses and surrounding properties would reduce and/ or avoid noise, dust, light impacts, odors, chemical use, and pesticide drift to new resort residential and hotel uses on the Project site. The requirement will be a condition of approval of discretionary development applications, consistent with the requirements of Action Item 10 under Policy OS-1A and Action Item 4 under Policy LU-2E in the City's General Plan and will include City-approved measures to reduce availability of public access to agricultural cultivation areas adjacent to the Project site (e.g., fencing, signs). Future residents and hotel/commercial lessees shall be notified of agricultural buffers as part of purchase or lease agreements.

Plan Requirements and Timing. The applicant shall clearly identify buffers and access restrictions on the development plans and Vesting Tentative Tract Map (TTM 3120).

Monitoring. The city shall review and approve the agricultural buffers prior to approval of TTM 3120 for the Project and shall ensure that buffers are implemented in compliance with General Plan Policy OS-1A and Policy LU-2E. The city shall review the development plans and TTM 3120 to ensure that design includes buffers and access restrictions as required under Mitigation Measure AG-2(a). Field inspections at appropriate phases of project construction shall confirm compliance with Mitigation Measure AG-2(a).

AG-2(b) Limitations on Pesticide Applications

New agricultural uses on the Project site, such as the proposed vineyards located in the Agricultural land use area, shall be managed without the use of pesticide applications using aircraft, airblast sprayers, sprinklers, dust, powders, or fumigants (California Code of Regulations, Title 3, Sections 6690-6692).

Plan Requirements and Timing. The applicant shall clearly identify pesticide restrictions prior to issuance of occupancy clearance.

Monitoring. The city shall review and approve the pesticide limitations prior to issuance of occupancy permits.

AG-2(c) Right to Farm Notification

Development within the Project site would also be required to comply with the city's right to farm ordinance, to reduce conflicts with nearby agricultural operations by notifying prospective purchasers of land in close proximity to agricultural operations of the inherent problems, including agriculture-related sounds, dust, odor, fertilizers, pesticides, smoke, and vibrations, associated with such purchases. In accordance with the city's right to farm ordinance (Municipal Code Section 21.16J.220), upon the transfer of real property on the project site, the transferor shall deliver to the

prospective transferee a written disclosure statement that shall make all prospective property owners and lessees on the Project site aware that although potential impacts or discomforts between agricultural and non-agricultural uses may be lessened by proper maintenance, some level of incompatibility between the two uses would remain. This notification shall include disclosure of potential nuisances associated with on-site agricultural uses, including the frequency, type, and technique for pesticide spraying, frequency of noise-making bird control devices, dust, and any other vineyard practices that may present potential health and safety effects. In addition, comprehensive supplemental notification information regarding vineyard operations shall be provided to prospective property owners prior to property transfer, based on consultation with the San Luis Obispo County Department of Agriculture/Weights and Measures. Should vineyard maintenance practices change substantially (e.g., through the use of new agricultural chemicals or application techniques), notification shall be provided to existing and prospective Project residents.

Plan Requirements and Timing. The applicant shall prepare and distribute right to farm notifications to prospective property owners and lessees upon all property transfers.

Monitoring. The city shall verify inclusion of right to farm notifications upon review and approval of all property transfers.

Significance After Mitigation

Mitigation Measure AG-2(a) would provide for buffers that would reduce access from the Project site to the adjacent agricultural properties, Mitigation Measure AG-2(b) would reduce the potential for conflicts related to pesticide applications, and Mitigation Measure AG-2(b) would require notification to new owners/lessees of the potential incompatibilities between agricultural and non-agricultural uses. With implementation of these measures, impacts associated with potential long-term conflicts with agricultural uses would be reduced. Accordingly, the Project would not adversely affect the long-term viability of agricultural uses on adjacent properties in a manner that could result in the conversion of Farmland to non-agricultural use, and impacts would be less than significant.

Threshold 2:	Would the Project conflict with existing zoning for agricultural use or a Williamson Act contract?

Impact AG-3 THE PROJECT WOULD ALTER THE EXISTING LAND USE AND ZONING ON THE PROJECT SITE. HOWEVER, THESE ALTERATIONS WOULD BE CONSISTENT WITH THE GENERAL NATURE AND PATTERN OF DEVELOPMENT IN THE CITY OF PASO ROBLES, AND THE COUNTY AND CITY INTENTIONS WITH RESPECT TO MAINTAINING OPEN SPACE AND AGRICULTURAL AREAS AROUND THE CITY. THEREFORE, THIS IMPACT WOULD BE CLASS III, LESS THAN SIGNIFICANT.

The Project site is an unincorporated area adjacent to the City of Paso Robles. As discussed in detail in Section 4.10, Land Use and Planning, the Project site currently has County General Plan land use categories of Residential Suburban (RS) and Agriculture (AG).While the Project site falls outside of the Paso Robles city limits, the site is in the city's General Plan Planning Impact Area, and included in the City's Purple Belt Action Plan and the Paso Robles Gateway Plan: Design Standards. Preliminary land use designations for the Planning Impact Area that encompasses the Project site include RC (Regional Commercial) and RS (Residential Suburban). The Project site was also noted in the Memorandum of Agreement (MOA) between the City and the County at the time of the most recent Sphere of Influence (SOI) update in 2013 as a Special Area of Interest, establishing the processes and procedures for future annexation of this area. The MOA described that "the City and property

owners, in consultation with the County anticipate that a land use plan and EIR will be prepared in the near future." No lands within the Project site or City of Paso Robles are enrolled in a Williamson Act contract. However, the property adjacent to the northern boundary of the Project site, in the unincorporated area of the County, is designated by the DOC as Williamson Act – Prime Agricultural Land (County of San Luis Obispo, 2014).

Refer to Section 2, *Project Description*, for a detailed discussion of the SOI amendment, pre-zoning, and annexation required for the Project. The city must approve and initiate the SOI amendment with LAFCO, and enter into a MOA with the county as part of the annexation process. The City must also adopt a General Plan Amendment to amend the land uses designations consistent with the Pre-Zoning application to allow development of future land uses. The Project would implement the City's Purple Belt Action Plan in the southwestern portion of the city by designating agricultural and open space areas on the Project site and locating tourist-serving and commercial uses along the South Vine Street and U.S. 101 corridor. Development would also be designed to meet agricultural buffer standards and comply with the City's right to farm ordinance and other provisions that are specifically intended to emphasize agricultural use and avoid conflict with existing Williamson Act contracts in this area. Therefore, the Project would not conflict with existing zoning for agricultural use or the Williamson Act contract on the property to the north. This impact would be less than significant.

Mitigation Measures

No mitigation would be required.

Threshold 3:	Would the Project 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 51104(g))?
Threshold 4:	Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

Impact AG-4 THE PROJECT MAY RESULT IN THE CONVERSION OF FOREST LAND TO NON-FOREST USES. THIS IMPACT WOULD BE CLASS II, LESS THAN SIGNIFICANT WITH IMPLEMENTATION OF MITIGATION.

No timberland or timberland zoned Timberland Production is present on the Project site. As previously discussed, forest land is defined in PRC Section 12220(g) as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Approximately 22.5 acres of coast live oak woodland, 1.4 acres Alvord oak woodland, and 4.5 acres of non-native (*Ailanthus altissima*, tree of heaven) woodland are located on hillsides, valley bottoms, and along ephemeral drainages on the Project site. Mature coast live oaks form a near continuous canopy and offers cover for many common birds and small mammals.

Implementation of the Project would result in the permanent loss of a portion of these woodlands, primarily comprised of the non-native woodland, which is located in development area 3 on the northern portion of the Project site. The majority of the coast live oak and Alvord oak woodlands are located outside of the proposed development areas, and would not be impacted by the Project. However, additional impacts may occur as a result of post-construction fire safety requirements

(i.e., pruning and understory clearing) in areas where structures are proposed for development close to the remaining woodland. As discussed in Section 4.4, *Biological Resources*, the Project would be required to comply with the City's Oak Tree Preservation Ordinance (Ordinance No. 835 N.S.) and mitigation measures BIO-4(a) and BIO-4(b) to minimize adverse effects on oak woodlands. Therefore, impacts to forest lands as a result of the Project would be less than significant.

Mitigation Measures

Mitigation Measures BIO-4(a) and BIO-4(b) would provide for preservation and compensatory mitigation for the loss of oak trees on the Project site.

Significance After Mitigation

With implementation of Mitigation Measures BIO-4(a) and BIO-4(b), impacts to forest lands would be reduced to a less than significant level.

4.2.3 Cumulative Impacts

Implementation of past, present, and probable future projects in and around the city would result in conversion of agricultural land to non-agricultural uses. The conversion of agricultural land within the city would potentially result in incompatibilities with agricultural uses and decrease in Prime Farmland, Unique Farmland, and/or Farmland of Statewide Importance.

Adherence to General Plan policies and applicable state and federal regulatory requirements would reduce any cumulative agricultural impacts resulting from past, present and probable future projects to a less than significant level. Implementation of the Project would incrementally contribute to the loss of agricultural land within the city and in San Luis Obispo County by converting approximately 28.9 acres of land with a soil type classified as farmland of statewide importance to non-agricultural uses. Although agricultural resources in the Project vicinity are mainly in areas outside of city limits, agriculture is a major industry in San Luis Obispo County. Development on Important Farmland would contribute to cumulative impacts to regional agricultural resources. Such impacts would result in incompatibilities with agricultural uses and a decrease in Prime Farmland, Unique Farmland, and/or Farmland of Statewide Importance.

The project would implement mitigation measures and include an agricultural conservation easement to ensure that the Project complies with the city's General Plan policies, LAFCO annexation requirements, and the city's Purple Belt Action plan. This would ensure that agricultural and open space resources at the fringes of the city are preserved in perpetuity. Therefore, the Project's contribution to cumulative agricultural impacts associated with the conversion of agricultural land to non-agricultural uses would be less than significant.

4.3 Air Quality

This section discusses the Project's potential impacts relating to air quality. The air quality emissions modeling output is provided in Appendix C.

4.3.1 Setting

a. Climate and Topography

The project site is in the South Central Coast Air Basin (SCCAB), which includes all of San Luis Obispo, Santa Barbara, and Ventura Counties. The 2001 Clean Air Plan (2001 CAP) for San Luis Obispo County describes the air quality setting for the county in detail, including the local climate and meteorology, current and projected air quality, and the regulatory framework for the management of air quality. The climate of the SCCAB is strongly influenced by its proximity to the Pacific Ocean and the location of the semi-permanent high-pressure cell in the northeastern Pacific. The Mediterranean climate of the Paso Robles region produces moderate average temperatures although extreme temperatures can be reached in the winter and summer. The warmest months of the year are July and August, and the coldest month of the year is December. The annual average maximum temperature is 76.3 degrees Fahrenheit (°F), while the annual average minimum temperature is 41.4°F. Rainfall is concentrated in the winter months. Local climate conditions are shown in Table 4.3-1.

Table 4.3-1 Paso Robles Area Climate Conditions

Temperature Condition	Amount
Average annual rainfall	15.2 inches
Average maximum temperature (annual)	76.3 °F
Average minimum temperature (annual)	41.4 °F
Warmest month(s)	July/August
Coolest month	December
Annual mean temperature	59°F

Note: Averages are based on the period of record from January 1, 1894 to June 10, 2016 with the exception of annual mean temperature, which is based on the period of record from January 1, 1894 to October 31, 2012.

Source: Western Regional Climate Center 2012 and 2016

Two types of temperature inversions (warmer air on top of cooler air) are created in the area: subsidence and radiational. The subsidence inversion is a regional effect created by the Pacific high in which air is heated when it flows from high-pressure areas to the low-pressure areas inland and is compressed. This type of inversion generally forms at about 1,000 to 2,000 feet above mean sea level and can occur throughout the year, but it is most evident during the summer months. Radiational, or surface, inversions are formed by the more rapid cooling of air near the ground at night, especially during winter. This type of inversion is typically lower and is generally accompanied by stable air. Both types of inversions limit the dispersal of air pollutants within the regional airshed because more stable air conditions (i.e., low wind speeds and uniform temperatures) result in lower rates of pollutant dispersion.

b. Air Pollutants of Primary Concern

The general characteristics of the six criteria pollutants regulated by the federal Clean Air Act and California Clean Air Act are described below.

Ozone

Ozone (O_3) is produced by a photochemical reaction (triggered by sunlight) between nitrogen oxides (NO_X) and reactive organic gases (ROG).[1] NO_X are formed during the combustion of fuels, while ROG is formed during combustion and evaporation of organic solvents. Because O_3 requires sunlight to form, it mostly occurs in concentrations considered serious between the months of April and October. Ozone is a pungent, colorless, toxic gas with direct health effects on humans, including respiratory and eye irritation and possible changes in lung functions. Groups most sensitive to O_3 include children, the elderly, persons with respiratory disorders, and people who exercise strenuously outdoors.

Carbon Monoxide

Carbon monoxide (CO) is a localized pollutant that is found in high concentrations only near its source. The major source of CO, a colorless, odorless, poisonous gas, is automobile traffic. Therefore, elevated concentrations are usually only found near areas of high traffic volumes. Carbon monoxide health effects are related to its affinity for hemoglobin in the blood. At high concentrations, CO reduces the amount of oxygen in the blood, causing heart difficulties in people with chronic diseases, reduced lung capacity, and impaired mental abilities.

Nitrogen Dioxide

Nitrogen dioxide (NO_2) is a by-product of fuel combustion, with the primary source being motor vehicles and industrial boilers and furnaces. The principal form of nitrogen oxide produced by combustion is nitric oxide (NO), but NO reacts rapidly to form NO_2, creating the mixture of NO and NO_2 commonly called NO_X. Nitrogen dioxide is an acute irritant. A relationship between NO_2 and chronic pulmonary fibrosis may exist, and an increase in bronchitis in young children at concentrations below 0.3 parts per million (ppm) may occur. Nitrogen dioxide absorbs blue light, gives a reddish-brown cast to the atmosphere, and reduces visibility. It can also contribute to the formation of small particulate matter (PM_{10}) and acid rain.

Suspended Particulates

Small particulate matter measuring no more than 10 microns in diameter is considered PM_{10}, while fine particulate matter measuring no more than 2.5 microns in diameter is considered $PM_{2.5}$. Suspended particulates are mostly dust particles, nitrates, and sulfates. Both PM_{10} and $PM_{2.5}$ are by-products of fuel combustion and wind erosion of soil and unpaved roads and are directly emitted into the atmosphere through these processes. Suspended particulates are also created in the

[1] Organic compound precursors of ozone are routinely described by a number of variations of three terms: hydrocarbons (HC), organic gases (OG), and organic compounds (OC). These terms are often modified by adjectives such as total, reactive, or volatile, and result in a rather confusing array of acronyms: HC, THC (total hydrocarbons), RHC (reactive hydrocarbons), TOG (total organic gases), ROG (reactive organic gases), TOC (total organic compounds), ROC (reactive organic compounds), and VOC (volatile organic compounds). While most of these differ in some significant way from a chemical perspective, two groups are important from an air quality perspective: non-photochemically reactive in the lower atmosphere, or photochemically reactive in the lower atmosphere (HC, RHC, ROG, ROC, and VOC). SLOAPCD uses the term ROG to denote organic precursors.

atmosphere through chemical reactions. The characteristics, sources, and potential health effects associated with PM_{10} and $PM_{2.5}$ can be very different. PM_{10} generally comes from windblown dust and dust kicked up from mobile sources. $PM_{2.5}$ is generally associated with combustion processes, as well as formation in the atmosphere as a secondary pollutant through chemical reactions. $PM_{2.5}$ is more likely to penetrate deeply into the lungs and poses a health threat to all groups, but particularly to the elderly, children, and those with respiratory problems. More than half of the small and fine particulate matter that is inhaled into the lungs remains there. These materials can damage health by interfering with the body's mechanisms for clearing the respiratory tract or by acting as carriers of an absorbed toxic substance. Adverse health effects of PM include increased respiratory symptoms, aggravated asthma, development of chronic bronchitis, nonfatal heart attacks, and premature death in people with heart or lung disease (CARB 2017).

Sulfur Dioxide

Sulfur dioxide (SO_2) is included in a group of highly reactive gases known as "oxides of sulfur." The largest sources of SO_2 emissions are from fossil fuel combustion at power plants (73 percent) and other industrial facilities (20 percent). Smaller sources of SO_2 emissions include industrial processes such as extracting metal from ore and the burning of fuels with a high sulfur content by locomotives, large ships, and off-road equipment. Sulfur dioxide is linked with a number of adverse effects on the respiratory system.

Lead

Lead (Pb) is a toxic metal that can be emitted from industrial sources, leaded aviation gasoline, and lead-based paint. Lead may cause a range of health effects, from behavioral problems and learning disabilities to seizures and death.

Toxic Air Contaminants

Toxic air contaminants (TACs) are a diverse group of air pollutants that may cause or contribute to an increase in deaths or serious illness, or that may pose a present or potential hazard to human health. TACs include both organic and inorganic chemical substances that may be emitted from a variety of common sources, including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities. One of the main sources of TACs in California is diesel engines that emit exhaust containing solid material known as diesel particulate matter (DPM, CARB 2019a). TACs are different than criteria pollutants because ambient air quality standards have not been established for TACs. TACs occurring at extremely low levels may still cause health effects, and it is typically difficult to identify levels of exposure that do not produce adverse health effects. TAC impacts are described by carcinogenic risk and by chronic (i.e., long duration) and acute (i.e., severe but of short duration) adverse effects on human health.

Valley Fever

Coccidioidomycosis, commonly known as Valley Fever, is a lung disease common in the southwestern United States and northwestern Mexico. Valley Fever is caused by the fungus *Coccidioides immitis*, which grows in soils in areas with low rainfall, high summer temperatures, and moderate winter temperatures. The *Coccidioides* fungus is found most often in the southwestern United States (especially Arizona and California) and parts of Mexico, Central America, and South America, and been reported locally, in Ventura, Fresno, and San Luis Obispo counties. These fungal spores become airborne when the soil is disturbed by winds, construction, farming, and other

activities. In susceptible people and animals, infection occurs when a spore is inhaled. Valley Fever infection rates are the highest in California from June to November, when soils are typically very dry. A total of 330 cases were reported in San Luis Obispo County in 2018 (California Department of Public Health) 2019. San Luis Obispo County Public Health Department data show that the number of cases in San Luis Obispo County is typically highest from October through January (San Luis Obispo County Public Health Department 2014).

Valley Fever is not known to spread from person to person or between people and animals. Exposure typically occurs in connection with ground disturbing activities that release fungal spores which are then inhaled. Construction personnel, agriculture workers, and archaeologists typically have an increased risk of exposure to the *Coccidioides* fungus since those professions can be exposed to disturbed soils that harbor the fungal spores.

Most people who are exposed to the fungus do not develop symptoms, or have relatively mild flu-like symptoms. Others, however, can experience more severe symptoms, particularly individuals with a weakened immune system, those of African-American or Filipino descent, and those who are pregnant. The elderly may also be prone to more severe cases. Common symptoms include fever, cough, headache, rash, muscle aches, and joint pain. Symptoms of advanced coccidioidomycosis may include skin lesions, chronic pneumonia, meningitis, bone or joint infection. Symptoms may appear between one and three weeks after exposure. Some patients have reported having symptoms for six months or longer, especially if the infection is not diagnosed early.

c. Regulatory Setting

Federal and State

The federal and state Clean Air Acts regulate the emission of airborne pollutants from various mobile and stationary sources. The United States Environmental Protection Agency (U.S. EPA) is the federal agency designated to administer air quality regulation, while the California Air Resources Board (CARB) is the state equivalent within the California Environmental Protection Agency (CalEPA). These agencies have established ambient air quality standards for the protection of public health. Local air quality management control and planning is provided through regional Air Pollution Control Districts (APCDs) established by CARB for the 14 statewide air basins. The CARB is responsible for control of mobile emission sources, while the local APCDs are responsible for control of stationary sources and enforcing regulations. As stated above, Paso Robles is located in the San Luis Obispo County portion of the SCCAB, which is under the jurisdiction of the San Luis Obispo Air Pollution Control District (SLOAPCD).

The U.S. EPA and CARB establish ambient air quality standards for major pollutants at thresholds intended to protect public health. Federal and state standards have been established for O_3, CO, NO_2, SO_2, lead, PM_{10}, and $PM_{2.5}$.Table 4.3-2 summarizes the California Ambient Air Quality Standards (CAAQS) and the National Ambient Air Quality Standards (NAAQS) for each of these pollutants. California standards are more restrictive than federal standards for each of these pollutants, except for lead, the eight-hour average for CO, and the eight-hour average for O_3.

Table 4.3-2 Current Federal and State Ambient Air Quality Standards

Pollutant	Federal Primary Standards	California Standard
Ozone	0.070 ppm (8-hr avg)	0.09 ppm (1-hr avg) 0.07 ppm (8-hr avg)
Carbon Monoxide	35.0 ppm (1-hr avg) 9.0 ppm (8-hr avg)	20.0 ppm (1-hr avg) 9.0 ppm (8-hr avg)
Nitrogen Dioxide	0.053 ppm (annual avg)	0.18 ppm (1-hr avg) 0.030 ppm (annual avg)
Sulfur Dioxide	0.075 ppm (1-hr avg) 0.14 ppm (24-hr avg)	0.25 ppm (1-hr avg) 0.04 ppm (24-hr avg)
Lead	0.15 μg/m3 (3-month avg)	1.5 μg/m3 (30-day avg)
Particulate Matter (PM10)	150 μg/m3 (24-hr avg)	50 μg/m3 (24-hr avg) 20 μg/m3 (annual avg)
Particulate Matter (PM2.5)	35 μg/m3 (24-hr avg) 12 μg/m3 (annual avg)	12 μg/m3 (annual avg)

ppm = parts per million
$\mu g/m^3$ = micrograms per cubic meter
Source: CARB 2016

In accordance with Section 109(b) of the federal Clean Air Act, the national ambient air quality standards (NAAQS) established at the federal level are designed to be protective of public health with an adequate margin of safety. The NAAQS were designed to include an adequate margin of safety to be protective of those segments of the public most susceptible to respiratory distress, such as children under the age of 14, the elderly (over the age of 65), persons engaged in strenuous work or exercise, and people with cardiovascular and chronic respiratory diseases. To derive these standards, the USEPA reviews data from integrated science assessments and risk/exposure assessments to determine the ambient pollutant concentrations at which human health impacts occur, then reduces these concentrations to establish a margin of safety (USEPA 2018). As a result, human health impacts caused by the air pollutants may affect people when ambient air pollutant concentrations are at or above the concentrations established by the NAAQS. The closer a region is to attaining a particular NAAQS, the lower the human health impact is from that pollutant (brief for San Joaquin Valley Unified Air Pollution Control District 2018). Accordingly, ambient air pollutant concentrations below the NAAQS are considered to be protective of human health (CARB 2019b and 2019c). The NAAQS and the underlying science that forms the basis of the NAAQS are reviewed every five years to determine whether updates are necessary to continue protecting public health with an adequate margin of safety (USEPA 2015).

Ambient air pollutant concentrations are affected by the rates and distributions of corresponding air pollutant emissions, as well as by climactic and topographic influences. The primary determinant of concentrations of non-reactive pollutants (such as CO, PM_{10} and $PM_{2.5}$) is proximity to major sources. Ambient CO levels usually closely follow the spatial and temporal distributions of vehicular traffic. SLOAPCD monitors criteria pollutant levels to ensure that air quality standards are met, and if they are not met, develops strategies to meet the standards. Depending on whether or not the standards are met or exceeded, the air basin is classified as being in “attainment” or

"nonattainment." As of January 2019 (the last date that SLOAPCD's attainment status was updated), San Luis Obispo County is designated nonattainment for the state 1-hour and 8-hour standards for ozone and the state 24-hour and annual standard for PM_{10}. In addition, eastern San Luis Obispo County is designated nonattainment for the federal 8-hour ozone standard. However, the Project site is located in the western portion of the county that is designated in attainment for this federal standard (SLOAPCD 2019a).[2]

San Luis Obispo Air Pollution Control District

SLOAPCD, the lead air quality regulatory agency for San Luis Obispo County, maintains air quality comprehensive programs for planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. The clean-air strategy of SLOAPCD involves the preparation of plans and programs for the attainment of CAAQS and NAAQS, adoption and enforcement of rules and regulations, and issuance of permits for stationary sources. The 2001 CAP for San Luis Obispo County, prepared by SLOAPCD, contains a comprehensive set of control measures and a regulatory framework designed to reduce criteria air pollutants and precursors from both stationary and mobile sources. SLOAPCD also inspects stationary sources to ensure they abide by permit requirements, responds to citizen complaints, monitors ambient air quality and meteorological conditions, and implements other programs and regulations required by the federal and state Clean Air Acts (SLOAPCD 2001).

In 2009, SLOAPCD adopted guidelines for assessment and mitigation of air quality impacts under the California Environmental Quality Act (CEQA). The *CEQA Air Quality Handbook*, which was updated in 2012 and 2017 (SLOAPCD 2012 and 2017), is an advisory document that provides lead agencies, consultants, and project applicants with uniform procedures for addressing air quality issues in environmental documents. The *CEQA Air Quality Handbook* also includes standard construction and operational mitigation measures that may be applied to projects that exceed SLOAPCD thresholds.

City of Paso Robles General Plan

The City of Paso Robles General Plan Conservation Element (2014) is intended to guide land use planning by providing goals and policies to preserve air quality. Goals and policies that are applicable to the project include:

GOAL C-2: Air Quality. Seek to maintain air quality by taking actions to reduce traffic congestion, vehicle miles traveled, and air pollutant emissions.

> **Policy C-2B: VMT Reduction.** Implement programs to reduce the number of vehicle miles traveled (VMT), especially by single occupant vehicles, including providing opportunities for mixed-use projects.
>
> > **Action Item 1.** Provide bikeways, pedestrian paths, and transit turn-outs/stops as requirements of development applications.
>
> **Policy C-2C: Emissions Reduction.** Take steps to reduce creation of air contaminant emissions.
>
> > **Action Item 3.** Require builders to use appropriate techniques to minimize pollution from construction activities.

[2] The eastern portion of San Luis Obispo County that has been designated nonattainment for the federal 8-hour ozone standard consists of the region east of the -120.4 degree longitude line in areas of SLO County that are south of the 35.45 degree latitude line and the region east of the -120.3 degree longitude line in areas of SLO County that are north of the 35.45 degree latitude line.

d. Current Air Quality

Table 4.3-3 summarizes the annual air quality data for the local airshed. CARB maintains over 60 air quality monitoring stations throughout California, including two stations in San Luis Obispo County. Other monitoring stations in San Luis Obispo County are maintained by SLOAPCD. The nearest monitoring station to the Project site is the Paso Robles-Santa Fe Avenue station, located at 235 Santa Fe Avenue approximately 2.5 miles northeast of the Project site. The pollutants monitored at this station are O_3 and PM_{10}. Data for NO_2 and $PM_{2.5}$ was sourced from the Atascadero-Lift Station #5 monitoring station, located at 5599 Traffic Way in Atascadero, approximately 6.8 miles southeast of the Project site. The data collected at these stations is generally representative of the baseline air quality experienced in the Project area. SO_2 has not been monitored at any stations within San Luis Obispo County since 2013. The last recorded 24-hour average SO_2 value was 0.033 ppm at the Nipomo-Guadalupe Road station in Nipomo, which is below the state 24-hour standard of 0.14 ppm and the federal 24-hour standard of 0.04 ppm. CO has not been monitored at any stations within San Luis Obispo County since 2004. The last recorded 8-hour average CO value was 1.23 ppm at the Atascadero-Lewis Avenue monitoring station in Atascadero, which is below the state and federal 8-hour CO standard of 9.0 ppm.

Table 4.3-3 Ambient Air Quality Data at the Paso Robles-Santa Fe Avenue Station

Pollutant	2016	2017	2018
Ozone (ppm), Worst Hour[1]	0.091	0.083	0.087
Number of days of state exceedances (>0.09 ppm)	0	0	0
Number of days of federal exceedances (>0.12 ppm)	0	0	0
Ozone (ppm), 8-Hour Average[1]	0.066	0.074	0.071
Number of days of state and federal exceedances (>0.07 ppm)	0	1	2
NO_2 (ppm), Worst Hour[2]	0.034	0.039	0.038
Number of days of state exceedances (>0.18 ppm)	0	0	0
Number of days of federal exceedances (>0.10 ppm)	0	0	0
PM_{10} ($\mu g/m^3$), Worst 24 Hours[1]	44.8	56.2	85.5
Number of days of state exceedances (>50 $\mu g/m^3$)	0	6	26
Number of days of federal exceedances (>150 $\mu g/m^3$)	0	0	0
$PM_{2.5}$ ($\mu g/m^3$), Worst 24 Hours[2]	28.6	26.7	34.1
Number of days of federal exceedances (>35 $\mu g/m^3$)	0	0	0

[1] Data from Paso Robles-Santa Fe Avenue monitoring station

[2] Data from Atascadero-Lift Station #5 monitoring station

Source: CARB 2019d

The primary pollutants of concern in San Luis Obispo are ozone and PM_{10}. As shown in Table 4.3-3, ozone concentrations exceeded the state and federal 1-hour ozone standard for one day in 2017 and for two days in 2018. PM_{10} concentrations exceeded the state 24-hour PM_{10} standard for six days in 2017 and for 26 days in 2018.

The major local sources for PM_{10} in the region are agricultural operations, vehicle dust, grading, and dust produced by high winds. Ozone is a secondary pollutant that is not produced directly by a source, but rather is formed by a reaction between NO_X and ROG in the presence of sunlight. Reductions in ozone concentrations are dependent on reducing the amount of these precursors. In San Luis Obispo County, the major sources of ROG are motor vehicles, organic solvents, the petroleum industry, and pesticides; and the major sources of NO_X are motor vehicles, public utility power generation, and fuel combustion by various industrial sources (SLOAPCD 2001).

e. Sensitive Receptors

Ambient air quality standards have been established to represent the levels of air quality considered sufficient, with an adequate margin of safety, to protect public health and welfare. Standards are designed to protect that segment of the public most susceptible to respiratory distress, such as children under 14; the elderly over 65; persons engaged in strenuous work or exercise; and people with cardiovascular and chronic respiratory diseases. Therefore, the majority of sensitive receptor locations are residences, schools, and hospitals.

The nearest sensitive land uses to the Project site consist predominantly of rural residential dwelling units on adjacent properties. The nearest residence to the Project site is located approximately 130 feet to the west from the central portion of the western Project site boundary. Additional residential land uses are located approximately 360 feet from the western Project site boundary, and 400 and 500 feet from the north site boundary. Other sensitive uses in the vicinity of the Project site include single-family residential units located approximately 200-300 feet south of the southern Project site boundary, across SR 46 West.

f. Odors

The SLOAPCD *CEQA Air Quality Handbook* identifies multiple sources that may cause odors including, but not limited to, wastewater treatment plants, landfills, composting facilities, petroleum refineries, and chemical manufacturing. The main objectionable odor released from wastewater treatment plants is associated with hydrogen sulfide (H_2S), which emits an odor similar to rotten eggs. The nearest existing source of odor in the vicinity of the Project site is Firestone Walker Brewing Company, located approximately 0.8 mile northeast of the Project site across U.S. 101. Wastewater ponds at this facility were the subject of odor complaints, and a Notice of Violation was issued by the San Luis Obispo County Air Pollution Control District in 2015. Repairs and improvements were completed that resolved the problem. No other major potential odor sources are known in the vicinity.

4.3.2 Impact Analysis

a. Methodology and Significance Thresholds

Methodology

Expected air pollutant emissions from construction and operation of the project were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 based on information provided by the project applicant and CalEEMod default values for projects in San Luis Obispo County when project specifics were not known. The land use types, square footages, and acreage were based on information contained in Section 2, *Project Description*, and in the Revised Traffic and Circulation Study (Traffic Study) prepared for the Project by Associated Transportation

Engineers in June 2019 (Appendix H). Construction emissions were modeled using the default construction schedule and construction equipment list provided in CalEEMod. All soil material would be balanced on-site; therefore, no soil export or import would be required. The volatile organic content limits for architectural coatings were adjusted to reflect regulatory compliance with the limits for flat, nonflat, and traffic marking coatings specified by SLOAPCD Rule 433 (Architectural Coatings). Trip generation rates for the proposed land uses were derived from the Traffic Study. See CalEEMod results in Appendix C. Procedures and guidance regarding the evaluation of air quality impacts associated with land development projects are provided by SLOAPCD's *CEQA Air Quality Handbook* (2012) and Clarification Memorandum (2017).

Projects and programs requiring an analysis of consistency with the 2001 CAP include General Plan updates and amendments, Community Plans, Specific Plans, Area Plans, large residential developments and large commercial/industrial developments. Therefore, the Project is evaluated for impacts related to CAP consistency. The *CEQA Air Quality Handbook* (2012) indicates that if a project is consistent with the land use and transportation control measures and strategies outlined in the 2001 CAP, then the project is considered consistent with the 2001 CAP. The 2001 CAP guidance for project consistency analysis states that the following questions should be evaluated:

1. Are the population projections used in the plan or project equal to or less than those used in the most recent CAP for the same area?
2. Is rate of increase in vehicle trips and miles traveled less than or equal to the rate of population growth for the same area?
3. Have all applicable land use and transportation control measures from the 2001 CAP been included in the plan or project to the maximum extent feasible?

According to the 2001 CAP, if the answer to all of the above questions is yes, then the project is consistent with the 2001 CAP. If the answer to any of the above questions is no, the project is inconsistent with the 2001 CAP.

Significance Thresholds

The following thresholds are based on Appendix G of the *State CEQA Guidelines*. Impacts would be significant if the project would:

1. Conflict with or obstruct implementation of the applicable air quality plan;
2. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard;
3. Expose sensitive receptors to substantial pollutant concentrations; or
4. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Potential impacts related to odors are discussed in Section 4.16, Effects Found Not to be Significant.

As stated in the *State CEQA Guidelines*, the significance criteria established by the regional air quality management or air quality pollution control district may be relied upon to make determinations. SLOAPCD's recommended significance criteria are described in its *CEQA Air Quality Handbook* (2012) and Clarification Memorandum (2017) and are included below.

Construction Emissions Thresholds

SLOAPCD has developed specific daily and quarterly numeric thresholds that apply to projects within the SCCAB. Daily thresholds are for projects that would be completed in less than one quarter (90 days). SLOAPCD's quarterly construction thresholds are applicable to the Project because construction activities would last for more than one quarter. The quarterly thresholds include the following:

ROG AND NO_X EMISSIONS

- **Daily.** Construction projects with emissions that would exceed 137 pounds per day require Standard Mitigation Measures.
- **Quarterly – Tier 1.** Construction projects with emissions that would exceed 2.5 tons per quarter require Standard Mitigation Measures and Best Available Control Technology (BACT) for construction equipment. Off-site mitigation may be required if feasible mitigation measures cannot be implemented, or if no mitigation measures are feasible.
- **Quarterly – Tier 2.** Construction projects with emissions that would exceed 6.3 tons per quarter require Standard Mitigation Measures, BACT, implementation of a Construction Activity Management Plan (CAMP), and off-site mitigation.

DIESEL PARTICULATE MATTER (DPM) EMISSIONS

- **Daily.** For construction projects expected to be completed in less than one quarter, if emissions would exceed seven pounds per day, Standard Mitigation Measures are required.
- **Quarterly - Tier 1.** For construction projects lasting more than one quarter, if emissions would exceed 0.13 tons per quarter, Standard Mitigation Measures and BACT for construction equipment are required.
- **Quarterly - Tier 2.** For construction projects lasting more than one quarter, if emissions would exceed 0.32 ton per quarter, Standard Mitigation Measures, BACT, implementation of a CAMP, and off-site mitigation are required.

FUGITIVE PARTICULATE MATTER (PM_{10}), DUST EMISSIONS

- **Quarterly**. Construction projects with emissions that would exceed 2.5 tons per quarter require Standard Fugitive PM_{10} Mitigation Measures and may require the implementation of a CAMP.

Operational Emissions Thresholds

SLOAPCD's long-term operational emission thresholds are summarized in Table 4.3-4.

Table 4.3-4 SLOAPCD Operational Emissions Significance Thresholds

Pollutant	Threshold[1]	
	Daily	Annual
ROG + NO_X (combined)[2]	25 lbs/day	25 tons/year
Diesel Particulate Matter (DPM)[2]	1.25 lbs/day	–
Fugitive Particulate Matter (PM_{10}), Dust	25 lbs/day	25 tons/year
CO	550 lbs/day	–

[1] SLOAPCD specifies that daily and annual emission thresholds are based on the California Health & Safety Code Division 26, Part 3, Chapter 10, Section 40918 and the CARB Carl Moyer Guidelines for DPM.

[2] SLOAPCD specifies that CalEEMod winter emission outputs should be compared to operational thresholds for these pollutants (SLOAPCD 2012).

Source: SLOAPCD 2012

b. Project Impacts and Mitigation Measures

Threshold 1: Would the Project conflict with or obstruct implementation of the applicable air quality plan?

Impact AQ-1 THE PROJECT WOULD NOT BE CONSISTENT WITH THE VMT ASSUMPTIONS AND DOES NOT INCORPORATE ALL APPLICABLE LAND USE STRATEGIES AND TRANSPORTATION CONTROL MEASURES CONTAINED IN THE SLOAPCD 2001 CAP RESULTING IN PROJECT INCONSISTENCY WITH THE 2001 CAP. THIS IMPACT WOULD BE CLASS I, SIGNIFICANT AND UNAVOIDABLE.

A project would be inconsistent with the 2001 CAP and would result in a potentially significant impact to air quality if it would exceed the SLOAPCD-recommended population projections used in the CAP for the same area, generate vehicle trips and VMT that would exceed the rate of population growth for the same area, or fail to incorporate all applicable land use management strategies and transportation control measures from the CAP to the maximum extent feasible.

Population Growth

As discussed in Section 4.16.6, the Project could result in up to 263 new residents in the city. The City of Paso Robles has a population of 31,244 (Department of Finance 2019). Under the medium growth scenario evaluated in the San Luis Obispo County Council of Governments (SLOCOG) *2050 Regional Growth Forecast for San Luis Obispo County*, the City's population is projected to total 37,858 residents in 2050. As compared to existing conditions, this equates to an increase of approximately 5,103 residents by year 2050. Therefore, the Project would result in near term increases in population that would not exceed the City's population increase projection for year 2050.

Vehicle Trip Rate Increase and Miles Traveled

The Project would include a mix of land uses, including resort residential, commercial, office, hotel, and open space/agricultural land uses. The Traffic Study for the Project determined that the project would add a total of 5,289 daily trips to local roadways (refer to Section 4.13, *Transportation/Traffic*, and the Traffic Study in Appendix H). The Paso Robles General Plan Circulation Element Update EIR

determined that buildout under the updated Circulation Element would result in 1,337,271 daily VMT in 2025. Based on the CalEEMod analysis (see Appendix C), the Project would result in annual VMT of 10,269,924, or an average daily VMT of 28,137 (annual VMT divided by 365 days per year). Buildout of the Project site would increase the City's daily VMT to 1,365,408 in 2025, an increase of approximately 2.1 percent. The City's existing (2019) population is approximately 31,244 residents, and the San Luis Obispo Council of Governments' medium growth scenario in the *2050 Regional Growth Forecast for San Luis Obispo County* forecasts that the City's population would increase to approximately 34,314 residents by 2025 (California Department of Finance [DOF] 2019; San Luis Obispo Council of Governments 2017). The Project includes up to 80 new resort residential units and 17 workforce housing units, resulting in a total of 97 new dwelling units. The 80 potential resort residential units would likely be used as vacation properties, not full time residents that would generate new population in the city. However, as a conservative estimate, all 97 potential dwelling units on the Project site are considered as potentially population generating. Accordingly, these dwelling units could generate up to 263 new residents in the city (97 dwelling units x 2.71 people/unit [DOF 2019]). The 263 potential new residents would increase the City's population to 31,507, an increase of 0.8 percent. The Project's percent increase in total VMT (2.1 percent) would exceed the Project's contribution to population growth (0.8 percent). Therefore, the project would be inconsistent with the 2001 CAP assumptions for VMT, resulting in a potentially significant impact.

Implementation of Land Use and Transportation Control Measures

Five of the transportation control measures (TCMs) and four of the land use planning strategies contained in the 2001 CAP are applicable to the Project. The Project's consistency with the 2001 CAP's applicable land use and transportation control measures is assessed in Table 4.3-5.

Table 4.3-5 Consistency with 2001 CAP Land Use and Transportation Control Measures

2001 CAP Control Measure	Project Consistency
Land Use Planning Strategies	
L-1 Planning Compact Communities. Maintaining compact city and village areas reduces reliance on the automobile by enhancing the viability of public transit and maximizing the potential for walking and bicycling to work, shopping, and other destinations.	**Consistent** Upon annexation, as a component of the Project, the Project site would be located within the city's urban boundary and has been designed with a mix of land uses, including resort residential, commercial, office, hotel, and open space/agricultural land uses. The Project site location along SR 46 West, South Vine Street, and U.S. 101 provides for convenient access to the city and other regional destinations. Additionally, the Project would be located in close proximity to existing visitor-serving and retail commercial uses south of SR 46 West and east of U.S. 101. Bicycle facilities in the area include Class II bike lanes along South Vine Street. The proposed realignment of South Vine Street would involve retention and extension of the existing bicycle lane along this arterial. Although the existing South Vine Street has no sidewalks, the Project design includes installation of a pedestrian sidewalk along the east side of South Vine Street through the Project site. An existing transit stop is also located in the Target Shopping Center to the south of the Project site, providing nearby access to transit throughout the region. As a result, the project would be consistent with this strategy.

2001 CAP Control Measure	Project Consistency
L-2 Providing for Mixed Land Use. Communities should allow a mixture of land uses that enables people to walk or bicycle to work or to purchase necessary household items or service, at locations convenient to their neighborhood.	**Consistent** The project has been designed with a mix of land uses, including resort residential, commercial, office, hotel, and open space/agricultural land uses. This mix of land uses would serve to reduce vehicle trips by enabling people to walk or bicycle to work or to utilize amenities or services at convenient locations.
L-3 Balancing Jobs and Housing. Within cities and unincorporated communities, the gap between the availability of jobs and housing should be narrowed and should not be allowed to expand.	**Consistent** According to San Luis Obispo Council of Governments' 2019 Regional Housing Needs Allocation Plan, Paso Robles has approximately 27 percent more jobs than housing units. The Project would primarily serve as a vacation/visitor-serving destination and would add more jobs in Paso Robles. As detailed in Section 4.7, *Greenhouse Gas Emissions*, the Project would generate approximately 311 employees. The Project would also add approximately 97 residential units, including 17 workforce housing units to house those employed on the Project site. The Project would add fewer housing units than jobs in Paso Robles and would increase the existing gap between the availability of jobs and housing. However, as discussed in Section 4.16.6, *Population/Housing*, SLOCOG projects that the city will grow by approximately 2,916 housing units by the year 2050. City of Paso Robles General Plan Land Use Element Goal LU-1 is to maintain a balanced community, where the majority of residents can live, work, and shop. Policy LU-1A supporting Goal LU-1 is to provide an appropriate mix and diversity of land uses. While the Project would add more jobs than housing units, cumulative growth in the city is anticipated to result in approximately 4,455 new housing units in the city. The Project would include a mix of resort residences, workforce housing, commercial, and hotel uses on the Project site that would allow for on-site residents and visitors to easily access and utilize hotel/resort amenities and commercial uses. Therefore, under cumulative conditions the Project would provide jobs that would help narrow the gap between the long-term availability of jobs and housing in the city. This would support the city's overall goals for balancing the uses within the community.
L-4 Circulation Management. The primary goal of the recommended Circulation Management Policies and Programs is to encourage the design and construction of the county's transportation system in a manner that supports alternative travel modes and decreases reliance on single occupant motor vehicles. Policies include: ▪ Promoting accessibility in the transportation system ▪ Promoting walking and bicycling ▪ Parking management ▪ Transportation demand management	**Consistent** The project would provide access to nearby major transportation systems through the development of the proposed on-site roadway network. The proposed internal circulation system would include pedestrian and recreational paths that would connect the various uses throughout the Project site, which would encourage the use of alternative transportation modes from one major development area to another. The existing bicycle lanes in the vicinity of the Project site on SR 46 West and South Vine Street would be retained with development of the Project site. Parking would be provided within each major development area on the Project site with adequate number of spaces to serve residents and patrons.

2001 CAP Control Measure	Project Consistency
Transportation Control Measures	
T-2A Local Transit System Improvements. The focus of this measure is on improving local transit service and infrastructure to increase ridership by enhancing the convenience and overall viability of the system. **T-2B Regional Public Transit Improvements.** San Luis Obispo Regional Transit Authority (SLORTA) operates the regional fixed route system, Central Coast Area Transit (CCAT). The focus of this measure is to improve regional transit service and infrastructure with the goal of increasing ridership rates in excess of countywide population growth rates.	**Consistent with Mitigation Incorporated** The City of Paso Robles is served by the Paso Express transit system. The Paso Express connects with SLORTA Route 9, which travels between the City of Paso Robles and the communities to the south (e.g. Templeton, Atascadero, Santa Margarita, and San Luis Obispo). Route 9 buses run at approximately 1-hour headways, with the nearest bus stop to the Project site at the Target Shopping Center just south of the site. The Project site can accommodate transit stops, and the re-alignment of South Vine Street would help to improve transit service in the vicinity of the site. However, future transit stop locations have not yet been identified for roadways/locations on the Project site. Mitigation Measures AQ-1 would address this issue by requiring the Project to expand Paso Express Routes with new stops on the Project site or along South Vine Street, providing public transit amenities on the Project site to facilitate this expansion, and providing additional on-site bicycle parking at non-residential uses beyond CalGreen standards.
T-3 Bicycling and Bikeway Enhancements. To effectively encourage the modal shift to bicycles, a comprehensive program to promote bicycle use was adopted in the 1991 Clean Air Plan.	**Consistent** The realignment of South Vine Street would involve retention and extension of the existing bicycle lane along this arterial. Although the existing South Vine Street has no sidewalks, the Project design includes installation of a pedestrian sidewalk along the east side of South Vine Street through the Project site.
T-6 Traffic Flow Improvements. This control measure focuses on traffic flow improvements and "traffic-calming" to improve the flow of all transportation modes. Traffic-calming refers to a full range of methods designed to improve the flow of nonmotorized transportation by slowing down the speed of motorized traffic. Traffic-calming is generally used in residential areas on non-arterial local streets and roads.	**Consistent** The Project provides a path for the realignment of South Vine Street, and improvements identified in the City's Circulation Element that would reduce congestion at the intersection of U.S. 101 and SR 46 West. The Project would also include circulation routes that provide for emergency access to and from the site and are designed to accommodate the specific types of uses within each development area.
T-8 Teleworking, Teleconferencing, and Telelearning. This control measure seeks to reduce emissions by promoting telecommuting for any employee whose job can accommodate working from home.	**Consistent with Mitigation Incorporated** The project has been designed with a mix of land uses, including resort residential, commercial, hotel, and agricultural uses. The provision of workforce housing on the Project site would allow for employees of the proposed hotel and commercial uses to reside onsite and reduce vehicle travel between home and employment. However, the Project does not include specific measures or design elements that would promote or encourage programs that would reduce VMT, such as ridesharing, alternative work schedules, or teleworking. Mitigation Measure AQ-1 would address this issue by requiring the Project to implement programs to reduce employee vehicle miles traveled at non-residential land uses, including alternative employee schedules and telecommuting.

Note: Three transportation control measures are not applicable to the project, T-1B Campus Trip Reduction Program; T-4 Park and Ride Lots; T-5 Motor Vehicle Inspection and Control Programs, because the project does not include a college campus, park and ride lots, or smog check program.

As shown in Table 4.3-5, although the Project would include pedestrian facilities and extend existing bicycle facilities in the vicinity of the site, detailed information is not available to ensure that the Project would be consistent with TCMs T-2A and T-2B for the provision of transit facilities. In addition, the Project does not include specific provisions for future employers on the site to encourage telecommuting (TCM T-8). Therefore, the Project would require mitigation to be consistent with applicable policies in the 2001 CAP.

Mitigation Measures

As discussed in Section 4.13, *Transportation/Traffic*, the Project would be required to make fair share contributions to the city's impact fee program to fund necessary public transportation system improvements in addition to circulation systems improvements that would include the installation of traffic control devices, including the realignment of South Vine Street, and various other improvements to reduce vehicle congestion and promote traffic calming. Mitigation Measure AQ-1 would also be required.

AQ-1 Alternative Transportation and Transportation Demand Management Measures

Prior to issuance of grading permits, the applicant shall include applicable VMT-reducing measures from the SLOAPCD *CEQA Air Quality Handbook* on Project plans. Consistent with SLOAPCD guidance, VMT-reducing measures shall include, but would not be limited to:

a. Expand San Luis Obispo County Regional Transit Authority Paso Express Routes with new stops on the Project site or along South Vine Street to ensure the Project site is within ¼ mile of a transit stop.
b. Provide public transit amenities (e.g., covered transit turnouts, direct pedestrian access, bicycle racks, covered bench, smart signage, route information displays, lighting, etc.) on the Project site or along South Vine Street to facilitate expansion of Paso Express Routes prior to building permit issuance.
c. Develop an educational program with San Luis Obispo Regional Rideshare to provide occupants of non-residential uses with alternative transportation and smart commute information (e.g., transportation board, electronic kiosk, new hire packets, web portal, newsletters, social media, etc.).
d. Implement programs to reduce employee vehicle miles traveled at non-residential uses (e.g., incentives; SLO Regional Rideshare trip reduction program; bicycle share programs; shuttles/vanpools; on-site employee lockers, showers, housing; alternative employee schedules 9e.g., 9–80s or 4–10s work schedules, telecommuting, satellite worksites, etc.).
e. Implement circulation design elements in parking lots for non-residential uses to reduce vehicle queuing and improve the pedestrian environment.
f. Exceed CalGreen standards for providing on-site bicycle parking at non-residential uses by 25 percent.

Plan Requirements and Timing. The project applicant shall incorporate Alternative Transportation and Transportation Demand Management Measures into Project plans. Developers of projects on the Project site shall incorporate applicable transportation demand measures into project plans and submit documentation to the city that employers in non-residential components of the Project have either implemented trip reduction measures or provided proof that applicable measures are infeasible.

Monitoring. The city shall verify that Alternative Transportation and Transportation Demand Management Measures have been incorporated into Project plans and that applicable improvements are included in developments on the Project site prior to issuance of occupancy permits. The city shall verify that public transit amenities have been installed prior to the issuance of the first occupancy permit. The city shall verify that on-site circulation design elements in parking lots and required on-site bicycle parking have been installed prior to the issuance of occupancy permits for non-residential uses.

Significance After Mitigation

Implementation of Mitigation Measures AQ-1, T-1, and T-5 would require the incorporation of alternative transportation facilities, the promotion of alternative work schedules, the payment of fair share fees for public transit improvements, and fair share contribution to the construction of circulation system improvements, all of which would address potential inconsistencies with the 2001 CAP transportation control measures and land use strategies. However, due to the nature of the Project as a visitor serving, resort destination it is anticipated that the Project's percent increase in total VMT would still exceed the Project's contribution to population growth despite implementation of the alternative transportation and transportation demand management measures required by Mitigation Measure AQ-1 and the payment of fair share fees toward the construction of circulation system improvements required by Mitigation Measures T-1 and T-5. Therefore, impacts related to consistency with the assumptions for VMT in the 2001 CAP would be significant and unavoidable.

Threshold 2:	Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?

Impact AQ-2 CONSTRUCTION OF THE PROJECT WOULD GENERATE TEMPORARY INCREASES IN CRITERIA AIR POLLUTANT EMISSIONS. CONSTRUCTION EMISSIONS OF ROG AND NO_X WOULD EXCEED SLOAPCD CONSTRUCTION THRESHOLDS. IMPACTS WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

Construction of new development on the Project site would generate temporary emissions of air pollutants. Ozone precursors (NO_X and ROG) as well as DPM (exhaust $PM_{2.5}$ and PM_{10}) would be emitted by the operation of construction equipment, while fugitive dust (PM_{10}) would be emitted by activities that disturb the soil, such as demolition, grading and excavation, road construction, and building construction. The Project's estimated maximum daily and quarterly emissions are shown in Table 4.3-6 and Table 4.3-7. Modeling of construction emissions assumed that construction would occur over continuously over a period of 42 months (inclusive of all ground disturbance and construction activities). Construction may occur discontinuously or over a longer duration, which would result in lower daily air pollutant emissions than shown in Table 4.3-6.

Table 4.3-6 Estimated Maximum Daily Construction Air Pollutant Emissions[1]

	Maximum Daily Emissions (lbs/day)[1]	
	ROG + NO_X	DPM[2]
Construction Year 2020	54.8	2.2
Construction Year 2021	35.4	1.0
Construction Year 2022	32.5	0.9
Construction Year 2023	28.2	0.7
Construction Year 2024	26.8	0.6
Construction Year 2025	130.3	0.6
SLOAPCD Daily Threshold	137	7.0
Threshold Exceeded?	**No**	**No**

Notes: All emissions modeling was completed using CalEEMod. Due to the size of the Project site and scale of potential development, this analysis conservatively assumes that building construction, paving, and architectural coating could potentially occur simultaneously on any given day.

[1] Maximum daily emissions include on-site and off-site emissions.

[2] DPM is equal to total exhaust PM_{10} emissions. Therefore, PM_{10} is included in the table as DPM.

Source: Appendix C

Table 4.3-7 Estimated Maximum Quarterly Construction Air Pollutant Emissions[1]

	Maximum Quarterly Emissions (tons/quarter)[2]		
	ROG + NO_X	DPM[3]	Dust[4]
Construction Year 2020	1.8	0.04	0.1
Construction Year 2021	1.2	0.03	0.1
Construction Year 2022	1.1	0.03	0.1
Construction Year 2023	0.9	0.02	0.1
Construction Year 2024	0.9	0.02	0.1
Construction Year 2025	2.3	0.01	< 0.1
Maximum Quarterly Emissions	**2.3**	**0.04**	**0.1**
SLOAPCD Quarterly Tier 1 Threshold	2.5	0.13	2.5
Threshold Exceeded?	**No**	**No**	**No**
SLOAPCD Quarterly Tier 2 Threshold	6.3	0.32	None
Threshold Exceeded?	**No**	**No**	**N/A**

N/A = not applicable

All emissions modeling was completed using CalEEMod. Due to the size of the Project site and scale of potential development, this analysis conservatively assumes that building construction, paving, and architectural coating could potentially occur simultaneously on any given day.

[1] Maximum quarterly emissions include on-site and off-site emissions.

[2] CalEEMod calculates quarterly emissions of ROG+NO_X but does not calculate quarterly emissions for DPM and dust; therefore, maximum annual construction emissions of DPM and dust were divided by the number of quarters undergoing construction in a year to estimate maximum quarterly emissions.

[3] DPM is equal to total exhaust PM_{10} emissions.

[4] Dust is equal to fugitive PM_{10} reported by CalEEMod.

Source: Appendix C

As shown in Table 4.3-6 and Table 4.3-7, the Project's combined ROG and NO_X emissions would not exceed SLOAPCD's daily thresholds and quarterly Tier 1 and Tier 2 thresholds. In addition, the Project's DPM emissions would not exceed the daily threshold or quarterly Tier 1 or 2 thresholds. The Project's dust emissions would not exceed the daily threshold or quarterly Tier 1 threshold primarily because no off-site soil material import or export would be required. Nonetheless, SLOAPCD requires any project with grading areas greater than 4.0 acres or that are within 1,000 feet of any sensitive receptor to implement standard fugitive dust mitigation measures. Therefore, this impact would be potentially significant, and Mitigation Measures AQ-2 is required to minimize fugitive dust emissions.

Mitigation Measures

AQ-2 Fugitive Dust Control Measures

The following SLOAPCD-recommended dust control measures shall be implemented to reduce construction-generated fugitive dust. These measures shall be included in the Construction Activity Management Plan (CAMP) shown on grading and building plans.

a. Reduce the amount of the disturbed area where possible.
b. Use water trucks, SLOAPCD-approved dust suppressants, or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the SLOAPCD's limit of 20 percent opacity for greater than 3 minutes in any 60-minute period.[3] Increased watering frequency would be required whenever wind speeds exceed 15 mph and during summer months (i.e., June through September). Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of a SLOAPCD-approved dust suppressant where feasible to reduce the amount of water used for dust control.
c. All dirt stockpile areas shall be sprayed with water or a SLOAPCD-approved dust suppressant daily as needed.
d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities;
e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating, native erosion control seed mix and watered until vegetation is established.
f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the City of Paso Robles.
g. All roadways, driveways, sidewalks, etc. to be paved shall 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 shall be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.
j. Wheel washers shall be installed at the construction site entrance/exist, tires or tracks of all trucks and equipment leaving the site shall be washed, or other SLOAPCD-approved track-out prevention devices sufficient to minimize the track-out of soil onto paved roadways shall be implemented.
k. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.
l. The burning of vegetative material shall be prohibited.
m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent 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 SLOAPCD Compliance Division and City of Paso Robles prior to the start of any grading, earthwork or demolition.

[3] The 20 percent opacity limit is a measure of the visibility of dust emissions and typically corresponds to the level at which dust emissions become clearly visible to the average human eye.

n. When applicable, portable equipment, 50 horsepower or greater, used during construction activities shall be registered with the statewide Portable Equipment Registration Program (issued by CARB) or be permitted by SLOAPCD. Such equipment may include power screens, conveyors, internal combustion engines, crushers, portable generators, tub grinders, trammel screens, and portable plants (e.g., aggregate plant, asphalt plant, concrete plant).

Plan Requirements and Timing. Fugitive dust control measures shall be included on grading plans, as applicable. The Project applicant shall submit proof of implementation of SLOAPCD-approved measures before final inspection of grading. For measures that include a feasibility component, the Project applicant shall submit proof of implementation, or proof that implementation was determined to the satisfaction of the City or City-approved third-party air quality consultant to be infeasible.

Monitoring. City staff verify compliance periodically during construction activities.

Significance After Mitigation

According to the SLOAPCD *CEQA Air Quality Handbook,* for projects with estimated construction emissions that are expected to exceed either of the SLOAPCD Quarterly Tier 2 thresholds of significance, implementation of a SLOAPCD-approved CAMP and off-site mitigation in addition to standard and BACT measures would reduce potential air quality impacts to a less than significant level. Mitigation Measure AQ-2would require implementation of fugitive dust control measures consistent with SLOAPCD requirements for projects with grading areas of greater than 4.0 acres. As a result, implementation of Mitigation Measure AQ-2would reduce construction-related air quality impacts to a less than significant level.

Threshold 2:	Would Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?

Impact AQ-3 OPERATION OF THE PROJECT WOULD GENERATE LONG-TERM OPERATIONAL AIR POLLUTANT EMISSIONS THAT WOULD EXCEED SLOAPCD DAILY EMISSIONS THRESHOLDS FOR ROG + NO_X AND FUGITIVE PM_{10}. IMPLEMENTATION OF SLOAPCD'S STANDARD MITIGATION MEASURES WOULD REDUCE EMISSIONS TO THE EXTENT FEASIBLE. HOWEVER, IMPACTS WOULD REMAIN CLASS I, SIGNIFICANT AND UNAVOIDABLE.

Operation of the Project would result in ongoing air pollutant emissions associated with vehicle trips, natural gas use, and area sources, such as landscaping, consumption of consumer products, and off-gassing from architectural coatings. Daily and annual operational emissions associated with the Project are shown in Table 4.3-8 and Table 4.3-9 (see Appendix C for complete CalEEMod results), and compared to the applicable SLOAPCD operational emissions thresholds.

Table 4.3-8 Estimated Operational Daily Air Pollutant Emissions

Emission Source	Emissions (lbs/day)[1]			
	ROG + NO_X (combined)	Fugitive PM_{10} (dust)	DPM[2]	CO
Area and Energy Sources	18.6	0.0	0.4	11.6
Mobile Sources	25.4	24.4	0.1	53.7
Total Emissions	44.0	24.4	0.5	65.3
SLOAPCD Daily Threshold	25	25	1.25[3]	550
Threshold Exceeded?	**Yes**	**Yes**	**No**	**No**

[1] Daily emissions are based on the highest emissions for winter operational conditions. Totals may not sum due to rounding.

[2] DPM estimates were derived from the "PM_{10} Exhaust" output from CalEEMod. This estimate represents a worst case scenario because it includes all PM_{10} exhaust.

[3] The SLOAPCD-recommended DPM significance threshold applies to on-site emission sources (i.e., area and energy sources).

Source: Appendix C

Table 4.3-9 Estimated Operational Annual Air Pollutant Emissions

	Emissions (tons/year)	
	ROG + NO_X (combined)	Fugitive PM_{10} (dust)
Proposed Project Annual Emissions	7.5	3.9
SLOAPCD Annual Threshold	25	25
Threshold Exceeded?	**No**	**No**

Note: All numbers may not sum exactly due to rounding.

Source: Appendix C

As shown in Table 4.3-8, the Project's operational emissions would exceed SLOAPCD's daily operational emissions thresholds for ROG + NO_X and Fugitive PM_{10}. However, as shown in Table 4.3-9, annual operational emissions would not exceed SLOAPCD's thresholds for ROG + NO_X or fugitive PM_{10}. Impacts from operational emissions would be potentially significant, and mitigation would be required to reduce impacts associated with operational air pollutant emissions.

Mitigation Measures

Implementation of Mitigation Measure AQ-1 would require implementation of VMT reduction measures for the Project, which would reduce mobile source emissions. In addition, implementation of Mitigation Measure AQ-3 would be required.

AQ-3 Land Use Emission Reduction Measures

Prior to issuance of grading permits, the applicant shall include standard emission reduction measures from the SLOAPCD *CEQA Air Quality Handbook* to reduce ROG, NO_X, DPM, and PM_{10} emissions below SLOAPCD threshold levels on Project plans. Consistent with SLOAPCD guidance, land use emission reduction measures shall include, but would not be limited to:

a. Install electric fireplace in place of U.S. EPA certified Tier 2 residential wood-burning appliances.
b. Provide shade over 50 percent of parking spaces in parking areas to reduce evaporative emissions from parked vehicles. Shade may be provided by trees, overhangs, shading structures, or other means, as appropriate.
c. Reduce fugitive dust from roads and parking areas with the use of paving or other materials.
d. Implement driveway design standards (e.g., speed bumps, curved driveway) for self-enforcement of reduced speed limits on unpaved driveways.
e. Use a SLOAPCD-approved suppressant on unpaved roads, driveways, and parking areas applied at a rate and frequency that ensures compliance with SLOAPCD Rule 401 (Visible Emissions) and ensures off-site nuisance impacts do not occur.
f. Encourage non-residential land uses to provide a childcare facility on-site.
g. Meet or exceed applicable building standards at the time of development for building energy efficiency with a goal of achieving zero net energy (ZNE) buildings.
h. Meet or exceed applicable building standards at the time of development for utilizing recycled content materials.
i. Meet or exceed applicable building standards at the time of development for reducing cement use in the concrete mix as allowed by local ordinance and conditions.
j. Meet or exceed applicable building at the time of development standards for the use of greywater, rainwater or recycled water.
k. Meet or exceed applicable building standards at the time of development for using shading, trees, plants, cool roofs, etc. to reduce the "heat island" effect.
l. All built-in appliances shall comply with California Title 20, Appliance Efficiency Regulation.
m. Utilize on-site renewable energy systems (e.g., solar, wind, geothermal, biomass, and/or biogas) sufficient to meet or exceed applicable building standards at the time of development with a goal of achieving ZNE buildings.
n. Design roof trusses to handle dead weight loads of standard solar-heated water and photovoltaic panels.

Plan Requirements and Timing. The Project applicant shall submit proof that the Land Use Emission Reduction Measures have been incorporated on Project plans, or proof that implementation of one or more measures is infeasible.

Monitoring. City shall verify that the Land Use Emission Reduction Measures are included on site and building plans prior to issuance of building permits. A qualified Air Quality Analyst shall confirm that land use emissions reductions can be satisfied with land use emissions reduction measures.

Significance After Mitigation

Implementation of the measures identified in Mitigation Measures AQ-1 and AQ-3 would reduce impacts to regional air quality. However, it is unlikely that these measures would reduce operational emissions by over 50 percent such that daily combined ROG + NO_X emissions would be below SLOAPCD's daily significance thresholds for ROG + NO_X. No further feasible mitigation measures are available. Therefore, the Project would result in a long-term increase in criteria pollutants for which the SCCAB is in nonattainment, and long-term operational impacts would be significant and unavoidable.

The following discussion addresses the potential human health impacts associated with significant and unavoidable Project emissions. This discussion is provided to address concerns raised in the *Sierra Club v. County of Fresno* (Friant Ranch; 2018) decision regarding adequate disclosure of the potential human health effects from significant air quality impacts. The Supreme Court opinion in Friant Ranch requires projects with significant air quality impacts to "relate the expected adverse air quality impacts to likely health consequences or explain why it is not feasible at the time of drafting to provide such an analysis, so that the public may make informed decisions regarding the costs and benefits of the project."

In their amicus briefs on the Friant Ranch case, South Coast Air Management District (SCAQMD) and San Joaquin Valley Air Pollution Control District (SJVAPCD) staff state that it is not feasible with existing modeling techniques to precisely correlate a project's impacts related to ROG, NO_X, and PM emissions to quantifiable health impacts, unless the emissions are sufficiently high to use a regional modeling program, which is not the case for the Project (Brief for South Coast Air Quality Management District 2018; Brief for San Joaquin Valley Unified Air Pollution Control District 2018).

Further, the SCAQMD and SJVAPCD amicus briefs note that ozone formation is not linearly related to emissions. Therefore, ozone impacts vary depending on the location of the emissions, the location of other precursor emissions, meteorology, and seasonal impacts, and because ozone is formed later and downwind from the actual emission. In addition, the SJVAPCD amicus brief states that although emissions of particulate matter can have a localized impact, the tonnage emitted does not always equate to the local PM concentration because local PM concentrations are affected by several factors, including wind transport, meteorology, and complex chemical factors. In addition, secondary PM is formed via a complex process such that the tonnage of PM-forming precursor emissions in a given area does not necessarily result in an equivalent concentration of secondary PM in that same area. Therefore, a general description of the adverse health impacts resulting from the pollutants at issue is the full extent of information that can be provided at this time.

The increase in ozone and PM_{10} concentrations in San Luis Obispo County as a result of Project operation would contribute to adverse health impacts that are already occurring due to the region's nonattainment status for these pollutants. As discussed in Section 4.3.1(b), *Air Pollutants of Primary Concern*, the health impacts of ozone include respiratory and eye irritation and possible changes in lung functions, and the health impacts of PM_{10} include increased respiratory symptoms, aggravated asthma, development of chronic bronchitis, nonfatal heart attacks, and premature death in people with heart or lung disease.

Threshold 3:	Would the Project expose sensitive receptors to substantial pollutant concentrations?

Impact AQ-4 THE PROJECT WOULD NOT EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL CONCENTRATIONS OF TOXIC AIR CONTAMINANTS OR NATURALLY-OCCURRING ASBESTOS. IMPACTS WOULD BE CLASS III, LESS THAN SIGNIFICANT.

The following subsections discuss potential impacts related to Toxic Air Contaminants (TACs) and naturally-occurring asbestos (NOA).

Toxic Air Contaminants

The primary sources of TAC emissions in urbanized and suburban areas are vehicle trips on area roadways and industrial uses. Industrial uses near the Project site include mixed industrial

commercial development to the east across U.S. 101. Existing stationary sources of TAC emissions are subject to SLOAPCD Rule 219, which establishes TAC emissions standards for stationary sources that are protective of public health.

Vehicle exhaust emissions include diesel exhaust from heavy duty trucks, which is considered a TAC. CARB currently recommends that local agencies avoid siting new sensitive land uses within 500 feet of freeways, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day (CARB 2005). The nearest proposed sensitive land uses to surrounding roadways would include the proposed resort residential units in development area 5, located approximately 500 feet of SR 46 West. According to the California Department of Transportation 2017 Traffic Volumes data, the daily traffic volume on SR 46 West in the vicinity of the Project site is approximately 35,000 vehicles per day and, thus, less than 50,000 vehicles per day. The project is estimated to add 5,289 average daily trips (ADT), of which only a portion would be distributed to SR 46 West (Refer to Appendix H, Revised Traffic and Circulation Study). Therefore, with the addition of the project's ADT traffic volumes on SR 46 West would be less than 50,000 vehicles per day. The other proposed uses on the Project site, including hotel uses sited on the eastern portion of the site, would be located more than 700 feet from the surrounding roadways, including U.S. 101.

The project does not propose any stationary sources of TAC emissions or industrial land uses, which are typically major sources of TAC emissions. Nevertheless, proposed hotel and commercial uses may include minor stationary TAC sources such as emergency diesel generators. New stationary sources would be required to comply with SLOAPCD Rule 219, which establishes TAC emissions standards for stationary sources that are protective of public health. As a result, new stationary sources included in the Project would not expose on-site or nearby sensitive receptors to substantial TAC emissions. Therefore, potential impacts from exposure of sensitive receptors to substantial TAC concentrations would be less than significant.

Naturally-Occurring Asbestos

Naturally occurring asbestos (NOA) has been identified by CARB as a TAC. Serpentine and ultramafic rocks are common in San Luis Obispo County and may contain naturally occurring asbestos. According to the SLOAPCD NOA Map for San Luis Obispo County, the Project site is not located in an area that is known to contain naturally occurring asbestos (SLOAPCD 2019). Therefore, Project construction activities, including excavation and grading, would not expose sensitive receptors to substantial NOA concentrations, and impacts would be less than significant.

Mitigation Measures

No mitigation would be required.

Threshold 3:	Would the Project expose sensitive receptors to substantial pollutant concentrations?

Impact AQ-5 GRADING AND OTHER EARTHMOVING ACTIVITIES DURING PROJECT CONSTRUCTION WOULD HAVE THE POTENTIAL TO EXPOSE SENSITIVE RECEPTORS TO COCCIDIOIDES FUNGUS, WHICH CAN CAUSE VALLEY FEVER. THIS IMPACT WOULD BE LESS CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

Project construction activities, including grading and construction vehicle traffic, could generate substantial localized quantities of dust and expose sensitive receptors (i.e., nearby residents, construction workers, etc.) to potential health hazards associated with the *Coccidioides* fungus,

particularly during periods of high wind. Extended periods of high heat or unusually windy conditions could increase fugitive dust emissions and the associated potential for exposure to the *Coccidioides* fungus. The Project applicant and all construction contractors operating on the site would be required to implement all of California Title 8 safety and health regulations necessary to protect employees. Nevertheless, sensitive receptors could be exposed to potential health hazards associated with the *Coccidioides* fungus during Project construction, and this impact would be potentially significant.

Mitigation Measures

Implementation of Mitigation Measure AQ-2and AQ-3 would require fugitive dust control measures during project construction and operation, which would reduce localized PM concentrations and potential exposure risk for the *Coccidioides* fungus. In addition, implementation of Mitigation Measures AQ-5 would be required.

AQ-5 Valley Fever Suppression Measures

The Project applicant and contractor(s) shall implement the following measures during construction activities to reduce impacts related to valley fever.

a. If peak daily wind speeds exceed 15 mph or peak daily temperatures exceed 95 degrees Fahrenheit for three consecutive days, additional dust suppression measures (such as additional water or the application of additional soil stabilizer) shall be implemented prior to and immediately following ground disturbing activities. The additional dust suppression shall continue until winds are 10 mph or lower and outdoor air temperatures are below a peak daily temperature of 90 degrees for at least two consecutive days. The additional dust suppression measures shall be incorporated into the Construction Activity Management Plan (CAMP) (see Mitigation Measure AQ-2).
b. Heavy construction equipment traveling on un-stabilized roads within the Project site shall be preceded by a water truck to dampen roadways and reduce dust from transportation along such roads. This measure shall be incorporated into the CAMP (see Mitigation Measure AQ-2).
c. The Project developer(s) shall notify the San Luis Obispo County Public Health Department and the City of Paso Robles Community Development Department not more than 60 nor less than 30 days before construction activities commence to allow the San Luis Obispo County Public Health Department opportunity to provide educational outreach to community members and medical providers, as well as enhanced disease surveillance in the area both during and after construction activities involving grading.
d. Prior to any Project grading activity, the Project construction contractor(s) shall prepare and implement a worker training program that describes potential health hazards associated with Valley Fever, common symptoms, proper safety procedures to minimize health hazards, and notification procedures if suspected work-related symptoms are identified during construction, including the fact that certain ethnic groups and immune-compromised persons are at greater risk of becoming ill with Valley Fever. The objective of the training shall be to ensure the workers are aware of the danger associated with Valley Fever. The worker training program shall be included in the standard in-person training for Project workers and shall identify safety measures to be implemented by construction contractors during construction. Prior to initiating any grading, the Project applicant shall provide the City of Paso Robles and the San Luis Obispo County Public Health Department with copies of all educational training material for review and approval. No later than 30 days after any new employee or employees begin work, the project

applicant shall submit evidence to City staff that each employee has acknowledged receipt of the training (e.g., sign-in sheets with a statement verifying receipt and understanding of the training).

e. The applicant shall work with a medical professional, in consultation with the San Luis Obispo County Public Health Department, to develop an educational handout for on-site workers and surrounding residents within three miles of the Project site that includes the following information on Valley Fever:
   - Potential sources/causes
   - Common symptoms
   - Options or remedies available should someone be experiencing these symptoms
   - The location of available testing for infection

   Prior to construction permit issuance, this handout shall have been created by the applicant and reviewed by City staff. No less than 30 days prior to any surface disturbance (e.g., grading, filling, trenching) work commencing, this handout shall be mailed to all existing residences within three miles of the Project site.

Plan Requirements and Timing. The Project applicant shall submit the CAMP, including the Valley Fever Suppression Measures, to the City of Paso Robles and SLOAPCD for review prior to the issuance of grading permits for the first Project phase. The applicant shall submit proof that San Luis Obispo County Public Health Department has been notified prior to commencement of construction activities; a worker training program has been conducted; and the educational handout has been mailed to existing residences and businesses within three miles of the Project site.

Monitoring. City staff shall verify compliance with the CAMP, including the Valley Fever Suppression Measures, through review of the third-party consultant evaluation reports. City staff shall also verify notification of the San Luis Obispo County Public Health Department, implementation of the worker training program, and mailing of the educational handout via applicant-submitted materials.

Significance After Mitigation

Implementation of Mitigation Measures AQ-2and AQ-3 would substantially reduce fugitive dust emitted during project construction as well as any fugitive dust generated during project operation. Mitigation Measure AQ-5 would require implementation of protective measures to reduce health hazards associated with the *Coccidioides* fungus. As a result, implementation of Mitigation Measures AQ-2, AQ-3, and AQ-5 would reduce air quality impacts to sensitive receptors to a less than significant level.

4.3.3 Cumulative Impacts

A project that does not exceed applicable SLOAPCD thresholds and is consistent with the 2001 CAP would not have a cumulatively considerable contribution to a cumulative impact on the airshed. Conversely, a Project that exceeds applicable SLOAPCD significance thresholds or is found to be inconsistent with the 2001 CAP would result in a cumulatively considerable contribution a cumulative air quality impact. As discussed under Impact AQ-1, the Project's percent increase in total VMT would exceed the Project's contribution to population growth, despite implementation of all feasible mitigation measures, resulting in inconsistency with the 2001 CAP VMT assumptions for the city. Also, as discussed under Impact AQ-3, the Project would exceed SLOAPCD daily operational thresholds even with the incorporation of mitigation. As such, cumulative impacts on air quality

would be significant and unavoidable. See Impact AQ-3 for a discussion of the human health impacts related to significant and unavoidable Project emissions.

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4.4 Biological Resources

The analysis of biological resources within the approximately 170-acre Project was based on a review of relevant literature and the results of reconnaissance-level field surveys and focused biological surveys presented in the following Althouse and Meade, Inc. (Althouse and Meade) documents:

- Biological Report for The Paso Robles Gateway Project (Althouse and Meade 2019; Appendix D)
- Biological Report for The Paso Robles Gateway Project (Althouse and Meade 2011)

4.4.1 Setting

a. Project Site Setting

Vegetation Communities and Land Cover

Six terrestrial vegetation communities or land cover types occur within the Project site: California annual grassland, orchards, coast live oak woodland, non-native woodland, Alvord oak woodland, riparian, and disturbed/anthropogenic. Vegetation alliances listed in the descriptions presented below were classified based on *A Manual of California Vegetation, Second Edition* (MCV2; Sawyer et al. 2009). Botanical nomenclature is presented as in *The Jepson Manual: Vascular Plants of California, Second Edition* (Baldwin et al. 2012). Figure 4.4-1 depicts the habitat types and land cover types within the Project site. A summary of habitat and land cover type identified in the Project site is shown in Table 4.4-1.

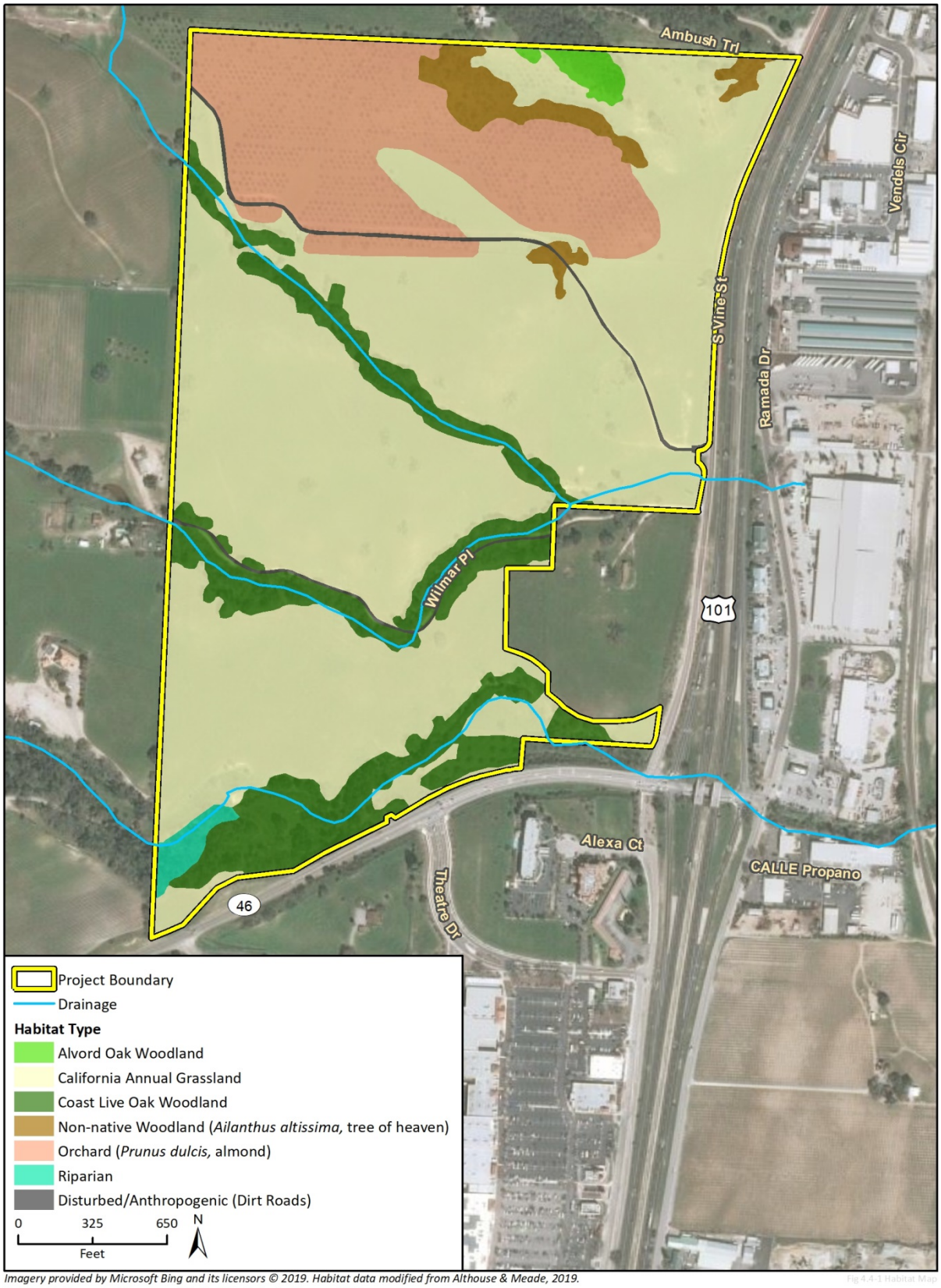
Table 4.4-1 Habitat Types within the Project site

Habitat Type	Approximate Acreage	Approximate Percentage of Total Area
California annual grassland	108.5	65%
Orchard (*Prunus dulcis*, almond)	27.8	17%
Coast live oak woodland	22.5	13%
Non-native Woodland (*Ailanthus altissima*, tree of heaven)	4.5	3%
Disturbed/Anthropogenic (dirt roads)	1.7	1%
Alvord oak woodland	1.4	1%
Riparian	1.3	<1%
Total	**167.7**	**100%**

California Annual Grassland

California annual grassland is the most abundant habitat on the Project site (108.5 acres), followed by oak woodlands along drainages and north-facing slopes. This vegetation type on the Project site includes annual grasses such as wild oats (*Avena fatua*), soft-chess brome (*Bromus hordeaceus*), and rattail six weeks grass (*Festuca myuros*) that fluctuate in dominance based on a variety of factors (e.g., soil type, slope, aspect, shading). Brome-dominated grasslands occur in northeastern areas accompanied by native associates including Chilean trefoil (*Acmispon wrangelianus*) and clustered

Figure 4.4-1 Vegetation Communities and Drainages



Imagery provided by Microsoft Bing and its licensors © 2019. Habitat data modified from Althouse & Meade, 2019.
National hydrography dataset provided by U.S. Geological Survey, 2019.

Fig 4.4-1 Habitat Map

tarweed (*Deinandra fasciculata*), and invasive species such as wild mustard (*Hirschfeldia incana*) and yellow star-thistle (*Centaurea solstitialis*). Annual grassland on hilltops in the central portion of the Project site is dominated by rattail six weeks grass and/or wild oats, with patches of native forbs, such as senesced purple owl's clover (*Castilleja exserta* ssp. *exserta*) and occasional milkweed (*Asclepias eriocarpa*, *A. fascicularis*). Grassland in the southwest portion of the Project site is dominated by wild oats, with a high density of hairy vetch (*Vicia villosa* ssp. *villosa*) and yellow star-thistle. The site is currently being used as rangeland and cattle were present during the June 2019 surveys conducted by Althouse and Meade.

Orchards

Approximately 27.8 acres of orchard habitat occurs in the northern portion of the Project site (Figure 4.4-1), dating back before 1937. Many of the almond trees in this orchard are dead or senescent and have not been harvested as a crop for many years. Annual grasses comprise the understory of the orchard with an abundance of yellow star-thistle. This vegetation type is entirely manmade and is not described in MCV2 (Sawyer et al. 2009)

Coast Live Oak Woodland

Coast live oak woodland has the greatest native plant cover and species diversity of the habitats found within the Project site. Coast live oak woodland habitat covers 22.5 acres on the Project site and falls within the coast live oak woodland alliance in MCV2 (Sawyer et al. 2009); and there are two associations found on the Project: upland oak woodland and riparian oak woodland.

The upland oak woodland association is comprised of coast live oak (*Quercus agrifolia* var. *agrifolia*), with occasional blue oak (*Quercus douglasii*) and valley oak (*Quercus lobata*). The oak woodland canopy ranges from open to contiguous. The understory vegetation varies but poison oak (*Toxicodendron diversilobum*) is consistently abundant throughout all of the oak woodland habitat. Other understory associates include wild rye (*Elymus condensatus*, *E. glaucus*, *E. triticoides*), bromes (*Bromus diandrus*, *B. hordeaceus*, *B. madritensis* ssp. *rubens*), clarkia (*Clarkia purpurea* ssp. *quadrivulnera*, *C. unguiculata*), creeping snowberry (*Symphoricarpos mollis*), milk thistle (*Silybum marianum*), and Italian thistle (*Carduus pycnocephalus*).

A portion of the coast live oak woodland is associated with the three ephemeral drainages that cross the Project site. A formal jurisdictional delineation was not completed, and therefore an accurate delineation of the boundary of the riparian oak woodland association within the greater coast live oak woodland alliance was not completed.

The riparian oak woodland association aligns with the ephemeral drainages and the density of oaks is highest along the immediate banks of the drainages. Understory species in riparian oak woodland vary somewhat from understory species in upland oak woodland. Poison oak is abundant in oak riparian, as is creeping wild rye (*Leymus triticoides*). California blackberry (*Rubus ursinus*) and California wild rose (*Rosa californica*) also occur as understory species in riparian coast live oak woodland (Althouse and Meade 2011). The *Quercus agrifolia/Toxicodendron diversilobum* riparian association in MCV2 (Sawyer et al. 2009) most closely resembles the riparian oak woodland on site. Note that because a wetland delineation was not completed on the Project site that would have accurately delineated the boundaries of any woodland riparian association, only the main coast live oak woodland alliance is depicted on the habitat map (Figure 4.4-1).

Non-Native Woodland

The non-native woodland habitat located in the northeast portion of the Project site is dominated by tree of heaven (*Ailanthus altissima*). This invasive species is locally abundant in patches along the eastern edge of the Project site and extends along hills adjoining almond orchards. This habitat consists of several small patches of dense tree of heaven comprising 4.5 acres of the Project site (Figure 4.4-1). The understory was dominated by ripgut brome and occasional forbs. The *Ailanthus altissima* Woodland Semi-Natural Alliance in MCV2 (Sawyer et al. 2009) most closely resembles the non-native woodland on site.

Alvord Oak Woodland

A small oak woodland in the northeastern portion of the Project site is comprised of Alvord's oak (*Quercus* x *alvordiana*) and inland scrub oak (*Quercus berberidifolia*), with an understory dominated by non-native grasses, including wild oats and ripgut brome (Figure 4.4-1). Alvord's oaks are a hybrid oak, either between *Q. douglasii* and *Q. turbinella* or *Q. douglasii* and *Q. john-tuckeri* (most likely Q. john-tuckeri in this location), which are shrub-like and grow low in stature (less than three meters tall). Common associates in the understory included native forbs and shrubs, including creeping snowberry, hummingbird sage (*Salvia spathacea*), and California paeonia (*Paeonia californica*), along with abundant poison oak. As a likely hybrid of *Quercus douglasii* and *Quercus john-tuckeri*, Alvord's oak woodland is a community group that falls under both the *Quercus douglasii* Woodland Alliance and *Quercus john-tuckeri* Shrubland Alliance in MCV2 (Sawyer et al. 2009).

Riparian

Approximately 1.3 acres of riparian habitat is present in the southwest portion of the Project site along the southern most drainage. Red willow (*Salix laevigata*) is present with blue oak associates in the canopy. Where the canopy opens, riparian understory associates include mugwort (*Artemisia californica*), creeping wild rye, California blackberry, and wild rose. This riparian habitat is generally consistent with the *Salix laevigata* Woodland Alliance in MCV2 (Sawyer et al. 2009).

Disturbed/Anthropogenic

Disturbed areas are manipulated and maintained by human activities. This land cover type consists of dirt access roads, and comprises approximately 1.7 acres of the Project site. Developed areas generally do not provide habitat for wildlife. Developed areas are not classified in the MCV2 classification system (Sawyer et al. 2009).

b. Special Status Species

For the purpose of this analysis, special status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the United States Fish and Wildlife Services (USFWS) and National Marine Fisheries Service (NMFS) under the federal Endangered Species Act (FESA); those listed or proposed for listing as threatened or endangered by the California Department of Fish and Wildlife (CDFW) under the California Endangered Species Act (CESA); plants listed as rare by the CDFW under the Native Plant Protection Act; and animals designated as "Species of Special Concern (SSC)," "Fully Protected," or "Watch List" by the CDFW. Those plants ranked as California Rare Plant Rank (CRPR) 1 or 2 are regarded as rare, threatened, or endangered under the CEQA and were considered as such in this EIR. The CRPR utilizes the following code definitions:

- **List 1A** = Plants presumed extinct in California;
- **List 1B.1** = Rare or endangered in California and elsewhere; seriously endangered in California (over 80% of occurrences threatened/high degree and immediacy of threat);
- **List 1B.2** = Rare or endangered in California and elsewhere; fairly endangered in California (20-80% occurrences threatened);
- **List 1B.3** = Rare or endangered in California and elsewhere, not very endangered in California (<20% of occurrences threatened or no current threats known); and
- **List 2** = Rare, threatened or endangered in California, but more common elsewhere.

CRPR List 3 species are "review list" and CRPR 4 species are considered "watch list" species which do not typically warrant analysis under CEQA except where they are part of a unique community, from the type locality, designated as rare or significant by local governments or where cumulative impacts could result in population–level effects. The CRPR 3 and 4 species reported from the region are not locally designated as rare or significant by the City of Paso Robles, are not part of a unique community, and the Project site is not known to be the type locality for any ranked plant species. Therefore, potential impacts to CRPR 3 and CRPR 4 species were not considered in this analysis.

Native oak trees are also considered sensitive in the City of Paso Robles and are protected by the City of Paso Robles Oak Tree Ordinance. Native oak trees are discussed below in Section 4.4.1(e).

Special Status Plant Species

Based on database and literature review, 62 special status plant species are known to occur or have the potential to occur within the vicinity of the Project site (refer to Appendix D). The potential for a number of special status plant species to occur in the Project site was eliminated based on known restrictions in range and/or suitable habitat or soils required by the species was not present. Althouse and Meade conducted one botanical survey on June 21, 2019 according to agency guidelines (USFWS 2000, CDFW 2018, and CNPS 2001). The June 21, 2019 survey constitutes a late-season botanical survey and was appropriately timed to identify late-blooming special status plant species known from the region with potential to occur in the Project site (refer to Appendix D).

The survey conducted by Althouse and Meade did not observe CRPR List 1 or 2 plant species. Only one CRPR List 4 plant species was detected during field surveys, Salinas milk vetch (*Astragalus macrodon*). One CRPR List 1B.2 species, Shining navarretia (*Navarretia nigelliformis* ssp. *radians*), was determined to potentially occur within the Project site based on the presence of suitable soil and habitat conditions.

Shining navarretia is a subspecies endemic to California, primarily occurring in central California. It is known to occur in vernal pools, grassland, and cismontane woodland habitats, often on clay and alkaline sites between 210 and 3,280 feet in elevation. It is an annual herb that typically blooms between (March) April and July. Shining navarretia is the only species of Navarretia in San Luis Obispo County with a yellow flower. The closest known record is approximately 2.9 miles northeast of the Project site on Chandler Ranch. Appropriate grassland and woodland habitat in the Project site is suitable for shining navarretia. The clay loam soil could have enough clay texture to support this species and shining navarretia has moderate potential to occur in the Project site. Shining navarretia was not detected during the June 21, 2019 survey conducted by Althouse and Meade which was within the blooming period for this species. A second botanical survey would be required to qualify as a protocol-level botanical survey under CDFW guidelines (CDFW 2018).

Special Status Animal Species

Based on the database and literature review, 40 special status animal species are known to or have the potential to occur within the vicinity of the Project site (refer to Appendix D). Potential habitat for ten special status animal species occurs within the Project site based on the presence of their general habitat requirements and each species' geographic range. The remainder of the species with the potential to occur in the vicinity of the Project site was eliminated as having potential to occur based on a lack of their individual habitat requirements or because the Project site is outside their known geographic range.

Ten special status animal species with potential to occur, with their special status designation, include:

- Northern California legless lizard (*Anniella pulchra*); state SSC
- Lesser slender salamander (*Batrachoseps minor*); state SSC
- Cooper's hawk (*Accipiter cooperii*); state Watch List (nesting)
- Golden eagle (*Aquila chrysaetos*); Bald and Golden Eagle Protection Act; state Fully Protected; state Watch List
- White-tailed kite (*Elanus leucurus*); state Fully Protected
- Loggerhead shrike (*Lanius ludovicianus*); state SSC
- Monterey dusky-footed woodrat (*Neotoma macrotis luciana*); state SSC
- Salinas pocket mouse (*Perognathus inornatus psammophilus*); state SSC
- American badger (*Taxidea taxus*); state SSC

Fully Protected Species

WHITE-TAILED KITE

White-tailed kite is a CDFW Fully Protected species that nests primarily in evergreen trees, especially coast live oaks, near meadows, marshes, or grasslands. Fully Protected species may not be taken under any circumstances, and authorization for take may not be granted. There are no reports of nesting white-tailed kites within 5 miles of the Project site (CDFW 2019). Kites were not observed in the Project site during the biological surveys by Althouse & Meade (Appendix D); however, they have the potential to occur due to the presence of suitable foraging habitat, and moderate to poor quality nesting habitat in the oak woodlands at the site.

GOLDEN EAGLE

Golden eagle is designated a Fully Protected species by the CDFW. The golden eagle is also protected under the federal Bald and Golden Eagle Protection Act. Golden eagles require large trees for nesting and open hunting grounds with abundant prey. Golden eagles were documented nesting approximately 4.5 miles northeast of the Project site from 2006 through the present (California Natural Diversity Database [CNDDB] record #122). Another pair of golden eagles nested from at least 1999 through 2005 and again in 2019 on the Santa Ysabel Ranch, approximately 3.4 miles southeast of the Project site (refer to Appendix D). No eagle nests were detected in the Project site during 2019 and appropriately large, prominent trees are not present. Golden eagles are likely to forage but unlikely to nest in the Project site.

Species of Special Concern

MAMMALS (MONTEREY DUSKY-FOOTED WOODRAT, SALINAS POCKET MOUSE, AMERICAN BADGER)

Monterey dusky-footed woodrat is known only from the Santa Lucia Mountains in southeastern Monterey and northwestern San Luis Obispo Counties. Monterey dusky-footed woodrat occurs in broadleaved upland forest and chaparral with moderate canopy and moderate to dense understory. It constructs nests using grass, leaves, sticks, feathers, etc. The availability of nest materials may be a limiting factor for population growth. The nearest collection record for Monterey dusky-footed woodrat is from the Camp Roberts area, northwest of the Project site. Occurrence numbers 1, 2, and 6 in the CNDDB are on the Camp Roberts military reservation. These records are 8.5 to 11 miles from the Project site. Insufficient trapping has been conducted in the Paso Robles area to determine the exact range of Monterey dusky-footed woodrat. Dusky-footed woodrats were present in oak and riparian woodland habitats on the property during 2011 surveys by Althouse and Meade (Althouse and Meade 2011). Trapping was not conducted as part of the 2011 surveys; therefore, the subspecies could not be determined for woodrats on the Project site. Woodrat middens or woodrat individuals were not observed during June 2019 surveys. Based on the presence of suitable habitat and stands of oak trees suitable for middens, Monterey dusky-foot woodrats have low potential to occur on the Project.

Salinas pocket mouse is a rare pocket mouse that is one of three subspecies located from the Sacramento Valley, south to the San Joaquin and contiguous valleys (including Salinas Valley). Like other species of pocket mice, the Salinas pocket mouse is nocturnal and spends the day in a burrow with a plugged entrance. During periods of low temperatures, these mice will enter a period of torpor, emerging occasionally from their burrow if its cache needs to be replenished. The Salinas pocket mouse forages on the seeds of grasses and forbs as well as seasonal vegetation. The closest reported occurrence of Salinas pocket mouse is located approximately 7.4 miles northeast of the Project site (CNDDB #9) in 1918. More recent occurrences have been reported at Camp Roberts, within nine miles of the Project site. Salinas pocket mouse was not observed during June 2019 surveys. Due to the presence of suitable soils and annual grassland habitat in the Project site, Salinas pocket mouse has low potential to occur.

The American badger has a widespread range across much of California. It is a permanent but uncommon resident in the state, except for the far northwestern corner, and is more abundant in dry, open areas of most shrub and forest habitats of the state (CDFW 2019). The American badger requires friable soils to dig burrows for cover and denning. The main food source for the American badger is fossorial rodents, mainly ground squirrels and pocket gophers. The breeding season is summer to early fall and females give birth to litters usually in March and April. The nearest reported occurrence of American badger is located approximately one mile southeast of the Project site (CNDDB #23). Badgers are highly mobile and could be present anywhere in the region where suitable prey are found. No sign of badgers was observed during the June 2019 surveys by Althouse and Meade; however, California ground squirrels were observed on the Project site and soils are suitable for denning badgers.

REPTILES AND AMPHIBIANS (NORTHERN CALIFORNIA LEGLESS LIZARD, *LESSER SLENDER SALAMANDER*)

Northern California legless lizard occurs from Contra Costa to Santa Barbara County. Northern California legless lizard inhabits friable soils in a variety of habitats from coastal dunes to oak woodlands and chaparral. Adapted to subterranean life, the legless lizard thrives near native coastal shrubs that produce an abundance of leaf litter and have strong root systems (Kuhnz et al. 2005).

Areas of non-native vegetation and open grassland do not provide suitable habitat for the silvery legless lizard since these plant communities support smaller populations of insect prey and offer little protection from higher ground temperatures and soil desiccation (Jennings and Hayes 1994). There are two reports of legless lizards from the east side of Paso Robles, the closest of which is off Golden Hill Road in the vicinity of Barny Schwarz Park approximately 4.2 miles northeast of the Project site (Althouse and Meade 2012). Moderately suitable habitat is present in the Project site in leaf litter and loam soils beneath oak trees and in orchard habitat; however, the region is typically drier and soil moisture content is relatively low throughout the year. Northern California legless lizards were not observed in the Project site during June 2019 surveys (Appendix D).

Lesser slender salamander (*Batrachoseps minor*) has a distribution range that is restricted to the South Santa Lucia Mountains where it inhabits shaded slopes with abundant leaf litter in broadleaved upland forests consisting of tanbark oak, coast like oak, blue oak, sycamore and laurel (Stebbins 2003). The closest reported occurrence of lesser slender salamander was located approximately 5.4 miles in southwest of the project (CNDDB #4) in oak woodland habitat. Lesser slender salamander is known to coexist with black-bellied slender salamander (*Batrachoseps nigriventris*) and *B. nigriventris* was observed on the property in 2011 (Althouse and Meade 2011). Appropriate oak woodland is present, though site conditions are predominantly xeric and lesser slender salamander has low potential to occur. Lesser slender salamander was not observed in the Project site during June 2019 surveys (Appendix D).

Special Status Birds and Nesting Birds (including Cooper's Hawk, Loggerhead Shrike)

The California Fish and Game Code (CFGC) and Migratory Bird Treaty Act (MBTA) provide protection to most migratory bird species and their nests. Birds protected by the CFGC and the MBTA may nest in trees, shrubs, grassland, and structures on site, including raptors such as red-tailed hawk (*Buteo jamaicensis*). One state Species of Special Concern bird species (loggerhead shrike) and one state Watch List bird species (Cooper's hawk) also have potential to occur or are known to occur in the Project site.

Cooper's hawk occurs regularly in California during the winter months and during spring and fall migration. It is generally regarded as a regular but uncommon nesting species in San Luis Obispo County (Hall et al. 1992). Cooper's hawks frequent oak and riparian woodland habitats, and increasingly urban areas, where they prey primarily upon small birds (Rosenfield et al. 2019). Multiple occurrences of Cooper's hawks in the area have been reported on online data sources, such as eBird (eBird 2019), though no known nesting occurrences have been reported in the vicinity of the Project. Appropriate oak woodland nesting habitat is present in the Project site and the site is likely to support nesting and foraging Cooper's hawks. Althouse and Meade observed an adult male Cooper's hawk in the Project site vicinity on April 4, 2019 (Appendix D). No Cooper's hawk nests were observed during June 2019 surveys (Appendix D).

Loggerhead shrike is a resident in arid regions of San Luis Obispo County and elsewhere in California. It requires open areas with appropriate perches for hunting, and shrubby trees or bushes for nesting. They feed on arthropods, reptiles and amphibians, small rodents, and birds, and often store prey for later consumption by impaling it on thorns, plant stems, or barbed wire for storage. Barbed wire fencing is present on the property and could act as a hunting perch and cache for prey. The almond orchard trees and sparse shrubby vegetation along some oak woodland edges could provide nesting habitat. CNDDB spatial data is incomplete for this species, which is known from northern San Luis Obispo County. Several occurrences of loggerhead shrike were reported between 2013 and 2018, just one mile southwest of the Project site, through the online data source eBird

(eBird 2019). Marginal nesting habitat is present and loggerhead shrikes have low potential to nest on the Property, though they may be observed foraging across the site. Loggerhead shrike was not observed during June 2019 surveys (Appendix D).

Special Status Plant Communities

Two special status plant communities were identified by the CNDDB as occurring in the vicinity of the Project site. These special status plant communities are shown in Table 4.4-2. Neither of these communities occur within the Project site.

Table 4.4-2 Sensitive Plant Communities Mapped by the CNDDB in the Vicinity of the Project Site

Plant Community	Global/State Rank	Habitat Presence/Absence
Northern interior cypress forest	G2/S2.2	Not present.
Valley oak woodland	G3/S2.1	Not present. Valley oak trees present within the project area are not present within a woodland context.

Source: CDFW's CNDDB RareFind5

Mapping and classification of sensitive natural communities in the CNDDB is not currently maintained and no new information has been added. Natural community elements in the CNDDB are classified according to the *Preliminary Descriptions of the Terrestrial Natural Communities of California* (Holland 1986) which is not the current standard for classifying vegetation communities as it relates to identifying sensitive natural communities in the context of CEQA analysis. Therefore, vegetation types on site were also compared with the List of Vegetation Alliances and Associations (CDFW 2018) which is the current standard for analyzing impacts to sensitive vegetation communities and is based on MCV2. According to the CDFW's Vegetation Program, vegetation alliances with state ranks of S1-S3 are considered to be imperiled, and thus, potentially of special concern.

There are several areas where riparian habitat is present within the Project site. An area along the drainage at the far southwest corner of the Project site is generally consistent with the *Salix laevigata* Woodland Alliance in MCV2 (Sawyer et al. 2009) and is listed as a California Sensitive Natural Community by CDFW (CDFW 2018).

In addition, portions of the coast live oak woodlands that are associated with the three ephemeral drainages that cross the Project site comprise a riparian oak woodland association. A formal jurisdictional delineation was not completed, and therefore an accurate delineation of the boundary of the riparian oak woodland association within the greater coast live oak woodland alliance was not completed. The riparian oak woodland association is not listed as a California Sensitive Natural Community by CDFW (CDFW 2018).

c. Wetlands and Drainages

Two drainages with defined bed, banks, and oak woodland habitat flow through the center of the property and join 500 feet east of the Project site boundary before passing through a culvert under Vine Street (Figure 4.4-1). The southernmost drainage flows eastward in a meandering path along the southern portion of the Project site and exits through a culvert under the Vine Street and

Highway 46 intersection. There is a clear outlet east of Ramada Drive where the flow path continues until its terminus at the Salinas River, located to the east of the Project. During the surveys conducted by Althouse and Meade, potentially jurisdictional wetlands and waters were identified in the Project site, where portions of three drainages cross the site. A formal wetland delineation was not completed for the Project site to determine any possible limits of U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and CDFW jurisdictions.

d. Wildlife Corridors

Wildlife movement corridors, or habitat linkages, are generally defined as connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as providing a habitat connection between foraging and denning areas, or they may be regional in nature. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then subsequently return. Others may be important as dispersal corridors for young animals. A group of habitat linkages in an area can form a wildlife corridor network.

The habitats within the link do not necessarily need to be the same as the habitats that are being linked. Rather, the link merely needs to contain sufficient cover and forage to allow temporary inhabitation by ground-dwelling species. Typically, habitat linkages are contiguous strips of natural areas, though dense plantings of landscape vegetation can be used by certain disturbance-tolerant species. Depending upon the species using a corridor, specific physical resources (such as rock outcroppings, vernal pools, or oak trees) may need to be located within the habitat link at certain intervals to allow slower-moving species to traverse the link. For highly mobile or aerial species, habitat linkages may be discontinuous patches of suitable resources spaced sufficiently close together to permit travel along a route in a short period of time.

Wildlife movement corridors can be both large and small in scale. Regionally, the Project site is not located within an Essential Connectivity Area (ECA) as mapped in the report California Essential Habitat Connectivity Project: A Strategy for Conserving a Connected California (2010). ECAs represent principle connections between Natural Landscape Blocks. ECAs are regions in which land conservation and management actions should be prioritized to maintain and enhance ecological connectivity. ECAs are mapped based on coarse ecological condition indicators, rather than the needs of particular species and thus serve the majority of species in each region.

The drainages on the Project site flow east toward the Salinas River, and provide suitable small-scale corridors for sensitive and common wildlife to travel locally. Oak woodland habitat is known to provide suitable nesting and foraging habitat for year-round and migrating birds, and several bird species were observed utilizing the canopy. The contiguous open grassland habitat provides a strong prey base with optimal foraging habitat for birds of prey and other carnivorous wildlife species.

Wildlife movement and connectivity are currently constrained on the Project site by surrounding development. To the east is the US 101 corridor and industrial buildings between the Project site and the Salinas River corridor. South of the Project site is Highway 46, commercial development consisting of a shopping center and other businesses, and residential, rural residential, and agricultural uses that have removed most natural habitat for several miles. West of the property is a mosaic of vineyards, rural residences, agricultural fields, pastures, and orchards, with remaining patches of oaks, scrub habitat along drainages. Approximately one mile to the north are urban neighborhoods, and in between are rural residences, vineyards, orchards, and roads along several canyons and ridges. Habitat within the Project site is usable by wildlife and development would reduce the amount of wildlife habitat available. Although it would contribute to a reduction in the

ability of wildlife to move through the area, development in the Project site would not create a new barrier to an existing corridor since ground movement of wildlife is already constrained by significant development to the east and south. In addition, the drainages on the Project would remain as open space, thus preserving some small scale wildlife movement patterns through the area.

e. Oak Trees

Oak trees of six-inches or greater diameter measured at 4.5 feet above ground level are protected by the City of Paso Robles Oak Tree Ordinance (Oak Tree Preservation, Section 10.01; City of Paso Robles 2002). A focused survey for oak trees was conducted for the Project in 2018 by A&T Arborists (A&T 2018; Appendix D2). The most recent tree impact numbers, based on Project design at the time, was provided by Kirk Consulting in May 2019 (Appendix D3). Based on the 2018 survey by A&T Arborists (Appendix D2), there are over 2,000 oak trees estimated to be on the entire property, and most of these would not be impacted by the Project. A total of 57 native oak trees were identified that would be removed or impacted based on the design of the Project in May 2019. Of these, 26 would be removed and one would be impacted as a result of the South Vine Street realignment work that will occur as part of the Caltrans improvements to the U.S. 101 and SR 46 West interchange (Caltrans 2009).

f. Regulatory Setting

Federal, state, and local authorities under a variety of statutes and guidelines share regulatory authority over biological resources. The primary authority under CEQA for general biological resources lies within the land use control and planning authority of local jurisdictions, which in this instance is the City of Paso Robles. The CDFW is a trustee agency and responsible agency for biological resources throughout the state under CEQA and also has direct jurisdiction under the CFGC, which includes, but is not limited to, resources protected by the State of California under the CESA. Below are discussions of the federal, state, and local regulations that form the regulatory basis for the impact analysis in Section 4.4.2.

Federal

Endangered Species Act

Under the FESA, authorization is required to “take” a listed species. Take is defined under FESA Section 3 as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Under federal regulation (50 CFR Sections 17.3, 222.102); “harm” is further defined to include habitat modification or degradation where it would be expected to result in death or injury to listed wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. Critical habitat is a specific geographic area(s) that is essential for the conservation of a threatened or endangered species and that may require special management and protection. Critical habitat may include an area that is not currently occupied by the species but that will be needed for its recovery. FESA Section 7 outlines procedures for federal interagency cooperation to conserve federally listed species and designated critical habitat.

Section 7(a)(2) of FESA and its implementing regulations require federal agencies to consult with USFWS or National Marine Fisheries Service (NMFS) to ensure that they are not undertaking, funding, permitting, or authorizing actions likely to jeopardize the continued existence of listed

species, or result in the destruction or adverse modification of critical habitat. For projects where federal action is not involved and take of a listed species may occur, the project proponent may seek to obtain an incidental take permit under FESA Section 10(a). Section 10(a) allows USFWS to permit the incidental take of listed species if such take is accompanied by an Habitat Conservation Plan (HCP) that includes components to minimize and mitigate impacts associated with the take.

The USFWS and NMFS share responsibility and regulatory authority for implementing the FESA (7 USC Section 136, 16 USC Section 1531 et seq.).

Migratory Bird Treaty and Bald and Golden Eagle Protection Acts

The MBTA authorizes the Secretary of the Interior to regulate the taking of migratory birds. The act provides that it is unlawful, except as permitted by regulations, "to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess, […] any migratory bird, or any part, nest, or egg of any such bird" (16 USC Section 703[a]). The Bald and Golden Eagle Protection Act (BGEPA) is the primary law protecting eagles, including individuals and their nests and eggs. The USFWS implements the MBTA (16 United States Code [USC] Section 703-711) and the Bald and Golden Eagle Protection Act (16 USC Section 668). Under the Act's Eagle Permit Rule (50 CFR 22.26), USFWS may issue permits to authorize limited, non-purposeful take of bald eagles and golden eagles.

Section 10 of the River and Harbors Act

Section 10 of the Rivers and Harbors Act of 1899 requires authorization from the Secretary of the Army, acting through the USACE, for the construction of any structure in or over any navigable water of the United States. Regulated activities include dredging or disposal of dredged materials, excavation, filling, re-channelization and construction of any structure or any other modification of a navigable water of the United States.

Clean Water Act

Under Section 404 of the Clean Water Act (CWA), the USACE, with EPA oversight, has authority to regulate activities that result in discharge of dredged or fill material into wetlands or other "waters of the United States." Perennial and intermittent creeks are considered waters of the United States if they are hydrologically connected to other jurisdictional waters. In achieving the goals of the CWA, the USACE seeks to avoid adverse impacts and to offset unavoidable adverse impacts on existing aquatic resources. Any discharge of dredged or fill material into jurisdictional wetlands or other jurisdictional "waters of the United States" would require a Section 404 permit from the USACE prior to the start of work. In 2008, the Environmental Protection Agency and the USACE, through a joint rulemaking, expanded the 404(b)(1) guidelines to include more comprehensive standards for compensatory mitigation. These standards include ensuring that unavoidable impacts subject to regulation under the CWA are replaced to promote no net loss of wetlands. Typically, when a project involves impacts to waters of the United States, the goal of no net loss of wetlands is met by compensatory mitigation; in general, the type and location options for compensatory mitigation should comply with the hierarchy established by the USACE/EPA 2008 Mitigation Rule (in descending order): (1) mitigation banks; (2) in-lieu fee programs; and (3) permittee-responsible compensatory mitigation. Also, in accordance with Section 401 of the CWA, applicants for a Section 404 permit must obtain water quality certification from the appropriate RWQCB.

The USACE, RWQCB, and CDFW typically take jurisdiction over wetlands that exhibit three parameters: suitable wetland hydrology, hydric soils, and hydrophytic vegetation. The RWQCB will also consider features with saturated, anaerobic-condition wetlands.

State

Endangered Species Act

The CESA (Fish and Game Code Section 2050 et. seq.) prohibits take of state-listed threatened and endangered species without a CDFW incidental take permit. Take under CESA is restricted to direct harm of a listed species and does not prohibit indirect harm by way of habitat modification and is defined as to "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill" (CFGC Section 86).

Protection of fully protected species is described in Fish and Game Code Sections 3511, 4700, 5050 and 5515. These statutes prohibit take or possession of fully protected species. Incidental take of fully protected species may be authorized under an approved Natural Community Conservation Plan (NCCP).

California Fish and Game Code sections 3503, 3503.5 and 3511

Sections 3503, 3503.5 and 3511 of the CFGC describe unlawful take, possession, or destruction of birds, nests and eggs. Fully protected birds (CFGC Section 3511) may not be taken or possessed except under specific permit. Section 3503.5 of the Code protects all birds-of-prey and their eggs and nests against take, possession, or destruction of nests or eggs.

Native Plant Protection Act

The CDFW also has authority to administer the Native Plant Protection Act (NPPA) (CFGC Section 1900 et seq.). The NPPA requires the CDFW to establish criteria for determining if a species, subspecies, or variety of native plant is endangered or rare. Under Section 1913(c) of the NPPA, the owner of land where a rare or endangered native plant is growing is required to notify the department at least 10 days in advance of changing the land use to allow for salvage of the plant(s).

California Fish and Game Code section 1600 et seq.

Section 1600 et seq. of the CFGC prohibits, without prior notification to CDFW, the substantial diversion or obstruction of the natural flow of, or substantial change to or use of any material from the bed, channel, or bank of, any river, stream, or lake; or deposit or disposal of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake. In order for these activities to occur lawfully, the CDFW must receive written notification regarding the activity in the manner prescribed by the department, and may require a lake or streambed alteration agreement. Lakes, ponds, perennial and intermittent streams and associated riparian vegetation, when present, are subject to this regulation.

Natural Community Conservation Planning Act

The Natural Communities Conservation Planning (NCCP) Act was established by the California Legislature, is directed by the CDFW, and is implemented by the state, as well as public and private partnerships as a means to protect habitat in California. The NCCP Act takes a regional approach to preserving habitat. An NCCP identifies and provides for the regional protection of plants, animals and their habitats, while allowing compatible and appropriate economic activity. Once an NCCP has been approved, CDFW may provide take authorization for all covered species, including fully protected species, Section 2835 of the CFGC.

Porter-Cologne Water Quality Control Act

The State Water Resources Control Board (SWRCB) and each of nine local Regional Water Quality Control Boards (RWQCB) has jurisdiction over "waters of the State", which are defined as any surface water or groundwater, including saline waters, within the boundaries of the state pursuant to the Porter-Cologne Water Quality Control Act. The SWRCB has issued general Waste Discharge Requirements (WDRs) regarding discharges to "isolated" waters of the State (Water Quality Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the USACE to be Outside of Federal Jurisdiction). The local RWQCB (the Central Coast RWQCB for the region) implements this general order for isolated waters not subject to federal jurisdiction and is also responsible for the issuance of water quality certifications pursuant to Section 401 of the CWA for waters subject to federal jurisdiction.

Because the RWQCB has not formally implemented methodology for delineation, procedures for defining RWQCB jurisdiction may change if and when the State Water Resources Control Board (SWRCB) implements its adopted Wetland Definition and Procedures for Discharges of Dredge and Fill Material to Waters of the State. Procedures for defining RWQCB jurisdiction pursuant to the SWRCB's State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State was approved on April 2, 2019, and will be implemented May 28, 2020.

Local

Paso Robles General Plan

The Paso Robles General Plan addresses biological resources and compatibility with development through implementation of adopted policies and programs in the City's updated General Plan Conservation Element.

CONSERVATION ELEMENT

The following Conservation Element policies define the local regulatory setting for biological resources in the Project site:

Policy C-3A: Oak Trees. Preserve existing oak trees and oak woodlands. Promote planting of new oak trees:

Action Item 1. Implement the Oak Tree Preservation Ordinance

Action Item 2. Plant oaks in parks and on other City-owned properties. Care shall be taken to plant new and replacement oak trees in locations and setting that will be appropriate to their species (e.g., avoiding mitigation that would not be suitable).

Action Item 3. Encourage and/or require new development to include the planting of new oaks where feasible and appropriate.

Policy C-3B: Sensitive Habitat. Incorporate habitats into project design, as feasible, including: oak woodlands, native grasslands, wetlands, and riparian areas

Action Item 1. As part of the environmental review of new development projects:

- Biological studies/surveys will be prepared when appropriate to assess habitat value.
- Alternatives to habitat removal will be explored; and
- Input will be sought from other public agencies with expertise in biological resources.

Action Item 3. Encourage use of native plants.

Paso Robles Municipal Code

SECTION 10.01. OAK TREE PRESERVATION

The Paso Robles Oak Tree Preservation Ordinance requires any person wishing to remove one or more qualifying oak trees from any parcel in the City to apply in writing to the City Community Development Department for a Permit to Remove. The ordinance specifies the species subject to protection and replacement. The ordinance provides protection to oak trees of six-inch or greater diameter measured at 4.5 feet above ground level. The ordinance also establishes protection measures for qualifying oak trees near grading and development and requires planting of replacement trees in proportion to the tree(s) being removed.

4.4.2 Impact Analysis

a. Methodology and Significance Thresholds

Impacts from development of the Project were assessed based on information provided in the preliminary development site plan and Project Description, which include the approximate size, location, and grade of building pads, location and area of disturbance (refer to Section 2, *Project Description*). The preliminary development plan was used to determine the area of disturbance to vegetative communities and associated species. The survey methodologies used in the analysis of biological resources are contained in the *Biological Report for The Paso Robles Gateway Project* (August 2019), prepared by Althouse and Meade (refer to Appendix D).

It should be noted that the "Study Area" as defined by Althouse and Meade does not match up with the current defined Project site boundary. The most recent 2019 report did not include a portion of the current Project outline, where modifications to the South Vine Street alignment will occur. The South Vine Street modifications were included as a portion of the "Biological Study Area" that was the subject of a Caltrans Natural Environment Study for the *U.S. Highway 101/State Route 46 West Interchange Modification Project Initial Study with Mitigated Negative Declaration/Environmental Assessment with Findings of No Significant Impact* (Caltrans 2009). In this EIR, biological resources were assessed in the South Vine Street alignment area through a desktop review that included aerial photographs and other resources as described in Section 4.4.1 above. In aggregate, these previous studies plus the additional desktop review provide details on biological resources with the Project site and vicinity.

The following thresholds were applied to the project from Appendix G of the CEQA guidelines which consider a project to have significant impact on biological resources if the project would result in:

1. 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 Wildlife or U.S. Fish and Wildlife Service;
2. A substantial adverse effect, on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
3. A substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;

4. 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;
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

The Project would not substantially interfere with the movement of native resident or migratory fish or wildlife species, with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. The Project site would not create a new barrier to an existing corridor since ground movement of wildlife is already constrained by development to the east and south. In addition, the drainages on the Project would remain as open space within/adjacent to the agricultural use areas, thus preserving some small scale wildlife movement patterns through the area. An approximately 16-acre area at the south end of the Project site, that follows the southern drainage, would be set aside as an open space area.

Additionally, the Project area is not part of or located in an area with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. These issues are discussed in Section 4.16, *Less than Significant Effects*.

b. Project Impacts and Mitigation

Threshold 1:	Would the project have a substantial adverse impact, 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 Wildlife or U.S. Fish and Wildlife Service?

Impact BIO-1 **THE PROJECT WOULD RESULT IN IMPACTS TO SPECIAL STATUS SPECIES INCLUDING SHINING NAVARRETIA, NORTHERN CALIFORNIA LEGLESS LIZARD, LESSER SLENDER SALAMANDER, COOPER'S HAWK, WHITE-TAILED KITE, GOLDEN EAGLE, LOGGERHEAD SHRIKE, MONTEREY DUSKY-FOOTED WOODRAT, SALINAS POCKET MOUSE, AND AMERICAN BADGER, IF PRESENT. GROUND DISTURBING ACTIVITIES COULD RESULT IN INJURY OR MORTALITY TO INDIVIDUALS OF THESE SPECIES AND REMOVE SUITABLE HABITAT. THIS IMPACT WOULD BE CLASS II, SIGNIFICANT BUT MITIGABLE.**

Special Status Plants

Althouse and Meade conducted one botanical survey on June 21, 2019 according to agency guidelines (USFWS 2000, CDFW 2018, and CNPS 2001). The June 21 survey constitutes a late-season botanical survey and was appropriately timed to identify late-blooming special status plant species known from the region with potential to occur in the Project site. No state or federally listed, proposed, candidate or CRPR List 1 species were observed within the portion of the Project site that was surveyed during the June 21, 2019 Althouse and Meade survey; however, a second botanical survey would be required to qualify as a protocol-level botanical survey under CDFW guidelines (CDFW 2018b) to rule out the possibility of any additional special status plant occurrences on the Project site. In addition, any areas of the Project site not surveyed during the Althouse and Meade June 21, 2019 survey would require two botanical surveys appropriately timed to identify blooming special status plant species known from the region with potential to occur in the Project site. Direct impacts from Project construction would include ground-disturbing activities that could result in

removal of the species, if present. Indirect impacts would occur if construction equipment inadvertently transports residual plant material from other construction sites (e.g., seeds of invasive plant species carried to the site within the undercarriage or tires of heavy equipment that has not been cleaned thoroughly between construction sites), which could lead to the spread of invasive, non-native species from construction equipment. Invasive, non-native plant species can out-compete native species and/or alter habitat towards a state that is unsuitable for the survival of special status species. For example, the spread of certain weed species can reduce the biodiversity of native habitats through displacement of vital pollinators or through competition with native plants for space, water and light. Impacts to shining navarretia or other CRPR List 1 species if detected during botanical surveys are potentially significant.

Special Status Animals

Ten special status animal species have the potential to occur within the Project area based on the presence of suitable habitat. These species include northern California legless lizard, lesser slender salamander, Cooper's hawk, white-tailed kite, golden eagle, loggerhead shrike, Monterey dusky-footed woodrat, Salinas pocket mouse, and American badger. A discussion of potential impacts associated with each of these species follows.

Species of Special Concern

REPTILES AND AMPHIBIANS (NORTHERN CALIFORNIA LEGLESS LIZARD, LESSER SLENDER SALAMANDER)

One special status amphibian, lesser slender salamander, and one special status reptile, northern California legless lizard, have potential to occur in the Project area. Lesser slender salamanders may be found under rocks, logs, bark, and other debris within oak woodland in the Project site. Legless lizards may be found in areas of friable soils and leaf litter in the oak woodland, orchard, and/or riparian habitat. Direct impacts to these species include mortality or injury of individuals during initial ground disturbance activities, as well as permanent or temporary impacts to potentially suitable breeding and upland habitat. Proposed water line access routes for the agricultural use on the Project site, if within or adjacent to riparian oak woodland habitat, may cause temporary impacts to potentially suitable breeding and upland habitat. Allowed uses within the open space area may also impact this species if any ground disturbance is associated with that allowed use. These species generally exhibit localized movement patterns mainly in the vicinity of suitable breeding habitat, and populations are at risk of local extirpation from the loss of breeding habitat in combination with injury or mortality of individuals in uplands. Therefore, impacts to the northern California legless lizard and lesser slender salamander from implementation of the Project are potentially significant.

MAMMALS (MONTEREY DUSKY-FOOTED WOODRAT, SALINAS POCKET MOUSE, AND AMERICAN BADGER)

The Project could result in the potential loss or degradation of special status mammal habitat, as well as, direct mortality of individual mammals resulting from removal of habitat suitable for special status mammal species including Monterey dusky-footed woodrat, Salinas pocket Mouse, and American Badger.

Monterey dusky-footed woodrat may occur in suitable oak woodland habitat on the Project site, and woodrat middens were observed on the Project site by Althouse and Meade (Appendix D). Project implementation could result in direct disturbance or take of Monterey dusky-footed

woodrat, if individuals occupy middens in oak woodland of the Project site prior to construction. Proposed water line access routes for the agricultural use areas on the Project site, if within or adjacent to riparian oak woodland habitat could result in direct disturbance or take of Monterey dusky-footed woodrat, if individuals occupy middens in this habitat. Indirect impacts to Monterey dusky-footed woodrat may also occur during construction activities or Project operations in the vicinity of an active midden resulting in distress to adults and disruption of normal behavior that may lead to abandonment or failure of a reproductive attempt. Impacts to Monterey dusky-footed woodrat from implementation of the Project are potentially significant.

Direct impacts to Salinas pocket mouse could occur as a result of ground disturbing activities through injury, direct mortality, and destruction of burrows if present during construction or activities related to the agricultural use areas. Allowed uses within the open space area may also impact this species if any ground disturbance is associated with that allowed use. Several small rodent burrows were observed across the Project site in several different habitat types (Appendix D). Indirect impacts to Salinas pocket mouse may also occur during construction activities or Project operations in the vicinity of an active burrow resulting in distress to adults and disruption of normal behavior that may lead to abandonment or failure of a reproductive attempt. Impacts to Salinas pocket mouse from implementation of the Project are potentially significant.

Direct impacts to American badger may occur as a result of ground disturbing activities through injury, direct mortality, and destruction of dens if present during construction. Construction activities have the potential to indirectly cause the abandonment of an occupied den with young, if present. Impacts to American badger from implementation of the Project are potentially significant.

Special Status Birds, Nesting Birds, and Raptors (including Cooper's Hawk, White-Tailed Kite, Golden Eagle, and Loggerhead Shrike)

Several bird species protected by the CFGC may nest in trees, shrubs, and grasslands within the Project area. One state Fully Protected bird species (white-tailed kite), one state Species of Special Concern bird species (loggerhead shrike), and one bird species protected by the Bald and Golden Eagle Protection Act (golden eagle) have the potential to occur or are known to occur in the Project area. Development of the Project may result in direct or indirect impacts to other nesting bird species (including those protect under CFGC and MBTA), should they be present within and/or in the immediate vicinity of areas of disturbance at the time of construction.

Direct impacts to nesting birds may occur due to removal or trimming of trees, shrubs, and other nesting substrates that may contain active nests. Impacts could occur during initial ground disturbing activities as well as site preparation (clearing, grubbing, and fuel management). Indirect impacts to nesting birds may occur from construction activities in the vicinity of an active nest resulting in distress to adults and disruption of nesting behavior leading to abandonment or nest failure. Direct or indirect impacts to nesting bird species could also result from conversion of the grassland habitat on the Project site to agriculture use, activities related to the proposed water line access routes for the agricultural use areas within or adjacent to riparian oak woodland habitat, and/or management activities that may be required in open space areas (e.g., vegetation management activities that may be required as part of a fuels management program).

Considering the amount of potential nesting habitat that would be impacted in proportion to the available habitat within the Project area, impacts from the proposed project to the local bird population would be potentially significant. Therefore, impacts to the success of avian breeding within the Project area through direct or indirect impacts would be potentially significant.

Mitigation Measures

BIO-1(a) Special Status Plant Pre-construction Surveys

Prior to construction (including staging and mobilization) and when plants with potential to occur are in a phenological stage conducive to positive identification (i.e., usually during the blooming period for the species), a qualified botanist (retained by the applicant and approved by the City) shall conduct surveys for special status plant species within suitable habitat across the Project site. Within the portion of the Project site previously surveyed by Althouse and Meade on June 21, 2019 (Appendix D), these surveys shall target the early blooming (spring) time period and be combined with the late season botanical survey previously conducted. For all portions of the Project site not previously surveyed for special-status plants, a complete botanical survey (i.e. two surveys spread out during the time period within which any special-status plants with potential to occur are in a phenological stage conducive to positive identification) shall be conducted. Reference sites shall be visited to document that target species are detectable prior to site surveys and/or confirm that phenology of species known to bloom and co-occur with target species is suitable for detection if a publicly accessible reference site is not available for a given species. Valid botanical surveys will be considered current for up to five years; if construction has not commenced within five years of the most recent survey, botanical surveys shall be repeated.

Plan Requirements and Timing. This measure shall be implemented prior to issuance of grading permits and/or initiation of site disturbance/construction.

Monitoring. The City shall review and approve documentation of compliance with the conditions outlined in the measure.

BIO-1(b) Special Status Plant Species Avoidance

If state listed, federally listed, or non-listed CRPR 1B.1 species are discovered within the survey area during pre-construction surveys, the qualified botanist will complete an impact analysis to evaluate how the Project would impact the special status plants. If feasible, development would be re-designed in coordination with the qualified biologist to avoid impacting these plant species. Special status plants that are not within the immediate disturbance footprint, but are located within 50 feet of disturbance limits shall be flagged and fenced off by the qualified botanist before construction activities start, to avoid impacts to special status plant species. If avoidance of state listed or federally listed plants species is not feasible, impacts shall be fully offset through implementation of a restoration plan that results in no net loss (see measure BIO-1(c)). Note that prior to implementing activities that result in impacts to listed plants, consultation with CDFW and/or USFWS and acquisition of any required permits and/or authorizations shall also be completed.

Plan Requirements and Timing. If required, the components of this measure shall be implemented prior to issuance of grading permits and/or initiation of site disturbance/construction.

Monitoring. The City shall review and approve documentation of compliance with the conditions outlined in the measure.

BIO-1(c) Restoration Plan for Special Status Plant Species

If avoidance of state listed, federally listed, and/or non-listed CRPR 1B.1 species is not feasible, all impacts shall be mitigated at a minimum ratio of 2:1 (number of acres/individuals restored to

number of acres/individuals impacted) for each species as a component of habitat restoration. The restoration plan shall include, at a minimum, the following components:

a. Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);
b. Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];
c. Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);
d. Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including species to be used, container sizes, seeding rates, etc.]);
e. Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);
f. Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year, along with performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, and annual monitoring reports for a minimum of five years at which time the project proponent shall demonstrate that performance standards/success criteria have been met;
g. Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80% survival of container plants and 70% absolute cover by vegetation type. Absolute cover will be determined in comparison to a reference plot for native species.
h. An adaptive management program and remedial measures to address any shortcomings in meeting success criteria;
i. Notification of completion of compensatory mitigation; and
j. Contingency measures (e.g. initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).

Plan Requirements and Timing. If required, the components of this measure shall be implemented prior to issuance of grading permits and/or initiation of site disturbance/construction.

Monitoring. The City shall review and approve documentation of compliance with the conditions outlined in the measure.

BIO-1(d) Northern California Legless Lizard and Lesser Slender Salamander Impact Avoidance and Minimization

Pre-construction surveys for northern California legless lizard and lesser slender salamander shall be conducted, prior to primary grubbing and other construction activities that affect previously undisturbed habitat (i.e., where no Project-related ground or vegetation disturbance has yet occurred). The surveys shall be conducted at appropriate times of day or night to locate each species, and shall be conducted within 3 weeks of the start of work. If no special status species are found, construction activities may begin immediately. If non-listed special status species are found, a qualified biologist shall move them to the nearest safe location. The Project biologist shall have the authority to stop work if special status species are found in the Project areas during construction.

Plan Requirements and Timing. This measure shall be implemented prior to issuance of grading permits and/or initiation of site disturbance/construction.

Monitoring. The City shall review and approve documentation of compliance with the conditions outlined in the measure.

BIO-1(e) Special Status Birds, Nesting Birds, and Raptors Impact Avoidance and Minimization

If initial ground disturbing activities and vegetation removal occurs during the typical avian nesting period, between March 15 and August 15, nesting bird surveys shall be conducted by a qualified biologist within one week prior to initial ground disturbance activities or removal of vegetation. Surveys shall continue to be conducted by the qualified biologist within the timeframes specified above until all ground disturbing or construction activities are completed. 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 of passerine species and 300 feet of nests of raptor species until chicks are fledged. A pre-construction survey report shall be submitted to the City 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 area and nest locations shall be included with the report. The biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions and tolerance of the species in question to Project activities where normal attendance of the nest is not affected.

Plan Requirements and Timing. The survey is required if initial ground disturbing activities or vegetation removal occurs between March 15 and August 15. If a survey is required, results of the survey shall be submitted to the City within one week of conducting the survey. The Owner/Applicant shall establish avoidance buffers prior to commencement of construction activities, as required.

Monitoring. The City shall review and approve the survey results and provide confirmation of compliance with the conditions outlined in the measure. The City shall ensure the avoidance buffers are established and maintained as needed.

BIO-1(f) Monterey Dusky-Footed Woodrat Impact Avoidance and Minimization

Where practicable a 25-foot setback from known woodrat nests shall be established for all Project activities. Planned construction would avoid known woodrat nests. However, if during construction it is found that a woodrat nest cannot be avoided, it shall be dismantled prior to land clearing activities, to allow animals to escape harm and to reestablish territories for the next breeding season. Dismantling of woodrat nests shall be conducted under the supervision of a qualified biologist. Woodrat nests shall be dismantled outside the breeding season, between September 1 and December 31. Dismantling shall be done by hand or mechanized equipment, but techniques shall be employed that allow any animals to escape toward available habitat. If a litter of young is found or suspected, woodrat nest material should be replaced, and the nest left undisturbed for 2-3 weeks before a re-check to verify that young are capable of independent survival before proceeding with woodrat nest dismantling.

Plan Requirements and Timing. The Owner/Applicant shall establish avoidance buffers prior to commencement of construction activities, as required. Woodrat nest dismantling, if required, shall occur between September 1 and December 31.

Monitoring. The City shall review and approve documentation of compliance with the conditions outlined in the measure.

BIO-1(g) American Badger Impact Avoidance and Minimization

A pre-construction survey for American badger dens shall be conducted by a qualified biologist within 15 days prior to the start of construction for any specific phase of the Project. If potential badger dens are identified, they shall be inspected by the qualified biologist 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 may be used to examine the den to the end, or other means of determining occupancy such as motion-activated wildlife cameras may also be utilized, under the direction of the qualified biologist. If the camera method is used, cameras must be used for four consecutive nights to make a determination on den activity and occupancy status. 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 by a qualified biologist to determine if badgers are present. If present, they may be encouraged to vacate the den by a qualified biologist, and after the biologist has confirmed the animal has vacated the den, excavated by hand with a shovel to prevent re-use of the den during construction.

Plan Requirements and Timing. The Owner/Applicant shall establish avoidance buffers prior to commencement of construction activities, as required. Potential badger den destruction, if required, shall occur between July 1 and February 1.

Monitoring. The City shall review and approve documentation of compliance with the conditions outlined in the measure.

BIO-1(h) Worker Environmental Awareness Program Training

Prior to the initiation of construction activities (including staging and mobilization), the Owner/Applicant shall ensure all personnel associated with project construction attend a Worker Environmental Awareness Program (WEAP) training.

The initial training shall be conducted by a qualified biologist, to aid workers in recognizing special status resources that may occur in the project area. Additional trainings for new personnel may be given through an electronic presentation prepared by the qualified biologist. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and avoidance measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. All employees shall sign a form provided by the trainer documenting they have attended the WEAP and understand the information presented to them.

Plan Requirements and Timing. The training shall occur prior to construction activities. The Owner/Applicant shall provide the signed form of all attendees within one week of the training to the City to document compliance.

Monitoring. The City shall verify that the worker awareness program conforms to the required conditions.

BIO-1(i) Open Space Management Plan

The Owner/Applicant shall develop an Open Space Management Plan (OSMP) that describes the maintenance and management of open spaces and riparian habitats on the property post-construction. The OSMP shall be focused on the open space area that is a subset of the 98 acres of Area 7 (see Table 2-1) that are not designated to either remain in agricultural production or be converted to agricultural production. The OSMP will address weed control as well as protection of nesting birds and special status species during routine maintenance and other allowed uses within the open space (e.g., vegetation management activities that may be required as part of a fuels management program, etc.).In addition, the OSMP will address protection of riparian corridors adjacent to agricultural use areas, and protection of any native oak trees that are to remain within the open space. The OSMP will be a tool to guide approved future uses within the open space area, such as allowed recreational uses, ensuring that required on-site mitigation measures are implemented as they relate to the above mentioned resources.

The OSMP shall be prepared by a qualified biologist and shall include the following:

- Introduction, including a summary of applicable conditions of approval that make the plan necessary; the stated purpose and goal of the OSMP, and a discussion of financial mechanisms and any necessary agreements required to support the open space management area;
- Survey and Mapping Methods, including habitat type references such as *A Manual of California Vegetation, Second Edition* (Sawyer et al. 2009);
- Description of environmental setting (topography, soils, vegetation, wildlife, functions and values of habitats, etc.);
- Management goals and objectives; (examples include: [1] to ensure long-term protection of native plant communities and wildlife habitat in the open space areas on site; [2] to establish baseline conditions upon which adaptive management will be determined and success will be measured; and [3] to provide an overview of the operation, maintenance, administrative and personnel requirements to implement management goals);
- Provisions for Adaptive Management, including remedial actions if necessary;
- Incorporation of applicable mitigation measures as they relate to sensitive biological resources that are present or may be present in open space areas in the context of the allowable uses;
- Incorporation of any compensatory mitigation requirements (if required) that would occur within the open space for on-site mitigation pursuant to a habitat restoration plan (Mitigation Measures BIO-2[b]

Plan Requirements and Timing. The OSMP shall be reviewed by the City prior to issuance of grading permits and/or initiation of site disturbance/construction.

Monitoring. The City shall review and approve documentation of compliance with the conditions outlined in the measure.

Significance After Mitigation

Implementation of Mitigation Measures BIO-1(a) through BIO-1(i) would require avoidance and minimization measures to reduce direct and indirect impacts to special status species from development of the Project, and as a result, reduce impacts to listed, candidate or special-status plant and wildlife species to a less than significant level.

Threshold 2:	Would the project have a substantial adverse impact 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 Wildlife or US Fish and Wildlife Service?

Impact BIO-2 THE PROJECT MAY RESULT IN IMPACTS TO RIPARIAN AREAS. THIS IMPACT WOULD BE CLASS II, SIGNIFICANT BUT MITIGABLE.

Based on the current design of the Project, including the designation of agricultural easements, direct impacts to streambeds will likely be avoided. However, there will likely be some impacts to riparian oak woodlands that may be within CDFW jurisdiction. Project implementation could potentially result in impacts to riparian habitat associated with the drainages on the Project site if agricultural activities planned with the agricultural easement designations on the Project do not fully avoid these drainages. There are also several access easements on the Project site that are required for irrigation lines to these agricultural areas that either cross or come close to these drainages. Permanent removal of riparian habitat would entail removal of native trees and riparian vegetation. Indirect impacts to riparian areas, which may occur as a result of implementation of the project, would include impacts to water quality from earth moving activities and operational site runoff. Impacts to riparian areas are therefore potentially significant.

Mitigation Measures

BIO-2(a) Jurisdictional Delineation and Agency Permits

A jurisdictional delineation shall be conducted on the Project site according to state and federal standards to determine the extent of CWA Section 404 wetlands and waters under jurisdiction of the USACE, CWA Section 401 waters and wetlands under jurisdiction of the State Water Resources Control Board and Regional Water Quality Control Board, and CFGC Section 1600 et seq. for any streams and/or riparian vegetation under CDFW jurisdiction. Based on the results of the jurisdictional delineation, if impacts are determined to any jurisdictional feature or habitat, the proponent shall apply for and obtain required permits from the USACE, RWQCB, and/or CDFW as applicable prior to the start of construction.

Plan Requirements and Timing. The Owner/Applicant shall provide the City with results of the jurisdictional delineation prior to issuance of grading permits, and provide copies of any applicable agency permits acquired before the start of construction.

Monitoring. The City shall review and approve documentation of compliance with the conditions outlined in the measure.

BIO-2(b) Mitigate for Loss of any Riparian Areas

Based on the results of the jurisdictional delineation (BIO-2(a)), and determination of impacts (if any) to riparian vegetation, the Owner/Applicant shall mitigate the loss of riparian habitat as

required by the permits issued by USACE, RWQCB, and/or CDFW, as applicable, but at minimum ratio of 1:1 (number of acres restored to number of acres impacted). A habitat restoration plan shall be prepared and submitted to the City for approval upon completion of the Project. The plan shall incorporate monitoring and maintenance of the restored habitat for a period of no less than 3 years.

Plan Requirements and Timing. The habitat restoration plan shall be submitted to and approved by the City prior to issuance of grading permits.

Monitoring. The Owner/Applicant shall contract with a qualified biologist to prepare and submit annual monitoring reports to the City. The City shall review the monitoring reports and determine whether the restoration has successfully mitigated for impacts to riparian habitat at the required ratio.

Significance After Mitigation

Implementation of BIO-1(i) in addition to the above mitigation measures would require a jurisdictional delineation to identify jurisdictional areas and compensate for impacts to riparian habitat. As a result, implementation of BIO-1(i), BIO-2(a), and BIO-2(b) would reduce impacts to riparian areas, to a less than significant level.

Threshold 3:	Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Impact BIO-3 THE PROJECT MAY IMPACT STATE AND FEDERALLY PROTECTED WETLANDS THROUGH DIRECT REMOVAL, FILLING, OR HYDROLOGICAL INTERRUPTION. THIS IMPACT WOULD BE CLASS II, SIGNIFICANT BUT MITIGABLE.

Ephemeral drainages and swales that are potentially within the jurisdiction of the USACE, RWQCB, and/or CDFW may be impacted if agricultural activities planned within the agricultural easement designations on the Project do not fully avoid these drainages. BIO-2(a) requires a jurisdictional delineation to identify the extent (if any) of agency jurisdiction. If impacts occur within the Ordinary High Water Mark, permits are required from USACE, RWQCB, and CDFW, and mitigation is required to restore or replace affected habitats. If there are no impacts within the Ordinary High Water Mark but do affect CDFW and RWQCB (pursuant to the Porter-Cologne Water Quality Control Act) jurisdictions (within tops of banks and/or riparian habitat, or isolated wetlands for RWQCB), permits are typically required only from CDFW and RWQCB. Mitigation is required to restore or replace affected habitats and native trees. Mitigation measures sufficient to satisfy these jurisdictional agencies typically require restoration at a minimum of 1:1 (restored to impacted area) ratio, or enhancement at a 3:1 ratio (enhancement to impacted area). Indirect impacts would also occur if spills or leaks occur within or adjacent to the drainages during construction.

Mitigation Measures

BIO 3(a) Agency Coordination

If after completion of BIO-2(a) jurisdictional delineation, it is determined that Impacts to drainages and wetlands will occur, the Project will require permits from USACE, RWQCB, and/or CDFW, as applicable. The Owner/Applicant shall comply with all state and federal permitting requirements. The Owner/Applicant shall obtain and produce for the City correspondence from applicable state

and federal agencies regarding compliance of the proposed development with state and federal laws.

Plan Requirements and Timing. The applicant shall submit copies of correspondence and/or permits (as applicable) with applicable agencies to the City prior to issuance of grading permits.

Monitoring. The City shall ensure that grading permits conform to the conditions of any permits issued by state and federal agencies.

BIO-3(b) Wetland and Drainage Mitigation

If applicable and as determined after completion of BIO-2(a), impacts to federal wetland areas and drainages (as defined by the CWA Section 404) and state wetlands and drainages shall be mitigated at a minimum ratio of 1:1 (acres restored to acres impacted) or enhanced at a minimum ratio of 3:1 ratio (enhancement to impacted area). The mitigation program shall be developed by a qualified biologist and be incorporated into and conform with the habitat restoration plan requirements under Mitigation Measure BIO-2(b). The mitigation shall be implemented for no less than 3 years after construction or until the local jurisdiction and/or the permitting authority (e.g., USACE) has determined that compensatory mitigation has been successful.

Plan Requirements and Timing. The habitat restoration plan shall be submitted to and approved by the City prior to issuance of grading permits.

Monitoring. The Owner/Applicant shall contract with a qualified biologist to prepare and submit annual monitoring reports to the City. The City shall review the monitoring reports and determine whether the restoration has successfully mitigated for impacts to riparian habitat at the required ratio.

BIO-3(c) Jurisdictional Areas Best Management Practices During Construction

The following best management practices shall be required for grading and construction within jurisdictional areas or wetlands where impacts are authorized. In addition, the measures shall be required at locations where construction occurs within 100 feet from jurisdictional areas or wetlands.

a. Access routes, staging, and construction areas shall be limited to the minimum area necessary to achieve the project goal and minimize impacts to other waters (federal and state) including locating access routes and ancillary construction areas outside of jurisdictional areas.
b. To control erosion and sediment runoff during and after project implementation, appropriate erosion control materials shall be deployed and maintained to minimize adverse effects on jurisdictional areas in the vicinity of the project.
c. Project activities within the jurisdictional areas should occur during the dry season (typically between May 1 and September 30) in any given year, or as otherwise directed by the regulatory agencies. Deviations from this work window can be made with permission from the relevant regulatory agencies.
d. During construction, no litter or construction debris shall be placed within jurisdictional areas. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site.
e. All project-generated debris, building materials, and rubbish shall be removed from jurisdictional areas and from areas where such materials could be washed into them.

f. Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic species resulting from project-related activities, shall be prevented from contaminating the soil and/or entering jurisdictional areas.

g. All refueling, maintenance, and staging of equipment and vehicles shall occur at least 100 feet from bodies of water and in a location where a potential spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water source). Prior to the onset of work activities, a plan must be in place for prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should an accidental spill occur.

Plan Requirements and Timing. These measures shall be implemented during grading and construction and shall be included on all land use, grading, and building plans. The Owner/Applicant shall retain a qualified biologist to assist with the preparation of plans, monitor compliance with the above measures and provide to monthly monitoring reports to the City to document compliance.

Monitoring. The City shall ensure the above measures are implemented and included on all land use grading, and building plans. The City shall review documentation and confirm compliance with the above measures. If the qualified biologist and/or the City determines construction activities are out of compliance, work shall stop until measures are fully implemented.

Significance After Mitigation

Implementation of BIO-1(i) in addition to the above mitigation measures would require preparation of a jurisdictional delineation to identify jurisdictional areas and implementation of avoidance and minimization measures to avoid, minimize, and compensate for direct and indirect impacts to state or federally protected wetlands from development of the Project. As a result, implementation of BIO-1(i), BIO-3(a), BIO-3(b), and BIO-3(c) would reduce impacts to jurisdictional areas to a less than significant level.

Threshold 5:	Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Impact BIO-4 THE PROJECT WOULD RESULT IN IMPACTS TO PROTECTED TREES. THIS IMPACT WOULD BE CLASS II, SIGNIFICANT BUT MITIGABLE.

As discussed in Section 4.4.1(e) and shown in the Oak Tree Impact Summary included in Appendix D, a total of 15 native oak trees would be removed and 15 native oaks trees would be impacted directly by the Project. Under the specifications of the Paso Robles Oak Tree Preservation Ordinance, the native oak trees impacted or removed by the Project are considered protected under the Paso Robles Oak Tree Protection Ordinance as they are greater than six-inches in diameter at 4.5 feet above ground level. Project-related impacts to the 30 protected oak trees would be potentially significant, and a Removal Permit from the city would be required for those native oak trees that would be removed for the Project.

Mitigation Measures

BIO-4(a) Oak Tree Compensatory Mitigation

The Owner/Applicant shall ensure the following actions are implemented to compensate for impacts to protected oak trees:

a. Impacted (but not removed) oaks shall be mitigated for by planting one 24-inch boxed tree with at least a 1.5-inch diameter for impacts less than 50 percent of the critical root zone (CRZ; area of root space that is within a circle circumscribed around the trunk of a tree using a radius of one foot per inch diameter at breast height [DBH]) as defined by the City Oak Tree Protection Ordinance. Two 24-inch boxed trees shall be planted for trees with impacts of 50 percent or greater of the tree. The mitigation trees shall be planted on the Project site and incorporated into the landscape plan. If boxed trees are not available, or are not sourced from California's central coast region, smaller caliper trees may be planted at a ratio of 5:1 for each tree removed. Additional trees may be planted from acorns collected on site, protected from below and above-ground browse damage, and counted as mitigation trees if they reach a height of three feet by Year 7 and exhibit high vigor.

b. Oak trees removed by the project shall be replaced in accordance with the Paso Robles Oak Tree Protection Ordinance. Replacement oaks for removed trees must be equivalent to 25 percent of the diameter of the removed tree(s). For example, the replacement requirement for removal of two trees of 15 inches DBH (30 total diameter inches), would be 7.5 inches (30 inches removed x 0.25 replacement factor). This requirement could be satisfied by planting five 1.5-inch trees, or three 2.5-inch trees, or any other combination totaling 7.5 inches. A minimum of two 24-inch box, 1.5-inch trees shall be required for each oak tree removed.

   Replacement trees shall be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least 7 years by a City-approved arborist. The arborist shall prepare an annual report detailing the condition of each replacement tree and any maintenance activities conducted. Any trees that are dead or in decline during the 7-year monitoring will be replaced and monitored for an additional 7 years after the replacement is planted.

Plan Requirements and Timing. Replacement trees shall be installed with site landscaping during the Phase of construction in which they are impacted or removed. The Owner/Applicant shall submit the annual reports to the City by December 31 of each year of monitoring.

Monitoring. The City shall review and approve the Tree Protection Plan and ensure the replacement trees are consistent with the requirements in the above measure.

BIO-4(b) Oak Tree Protection

The Owner/Applicant shall ensure the following actions are implemented to avoid and minimize potential impacts to protected oak trees:

a. Tree canopies and trunks within 50 feet of proposed disturbance zones shall be mapped and numbered by a City-approved arborist or biologist and a licensed land surveyor. Data for each tree shall include date, species, number of stems, DBH of each stem, CRZ diameter, canopy diameter, tree height, health, habitat notes, and nests observed.

b. An oak tree protection plan shall be prepared and approved by the City that outlines the specific tree protection measures that will apply to each protected oak tree on the Project site.

c. Impacts to the oak canopy or CRZ shall be avoided where practicable. Impacts include pruning, any ground disturbance within the dripline or CRZ of the tree (whichever distance is greater), and trunk damage.
d. Protective fencing shall be installed at the edge of the critical root zone or line of encroachment for each tree or group of trees that will not be removed. The fence shall be installed before any construction or earth moving begins. The proposed fencing shall be shown on the grading plan. It must be a minimum of 4-foot high chain link, snow or safety fence staked (with t-posts 8 feet on center). The Owner/Applicant shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. Weatherproof signs shall be permanently posted on the fences every 50 feet, with the following information: Tree Protection Zone: No personnel, equipment, materials, or vehicles allowed.
e. Oil, gasoline, chemicals and other construction materials or equipment which might be harmful to oak trees shall not be stored within the CRZ of the tree.
f. Slopes and drains shall be installed according to the city specifications so as to avoid harm to the oak trees due to excess watering. All impacts within the CRZ (e.g., grading, trenching, pruning, utility placement) shall be supervised by a certified arborist approved by the city or the arborist's designated biologist.
g. Damage to any tree during construction shall be immediately treated, as appropriate, by an arborist approved by the city to prevent disease or pest infestation. Damage will be reported to the city during each month of construction. The property owner shall be responsible for correcting any damage to oak trees on the property in a manner specified by an arborist approved by the city at the Owner/Applicant's expense.
h. No paint thinner, paint, plaster or other liquid or solid excess or waste construction materials or waste water shall be dumped on the ground or into any grate between the outer edge of the CRZ and the base of the oak trees, or uphill from any oak tree where such substance might reach the roots through a leaching process.
i. Wires, signs and other similar items shall not be attached to the oak trees.
j. All root pruning shall be completed with sharpened hand pruners. Pruned roots shall be immediately covered with soil or moist fabric.
k. Oak tree impacts, record of treatment, and protection methods shall be included in a monthly report to the city during active construction periods.

Plan Requirements and Timing. These measures shall be implemented prior to and/or during grading and construction and shall be included on all land use, grading, and building plans. The Owner/Applicant shall retain a City-approved arborist or biologist to monitor compliance with the above measures.

Monitoring. The City shall ensure the above measures are implemented and included on all land use grading, and building plans. The City shall review documentation and confirm compliance with the above measures.

Significance After Mitigation

Implementation of BIO-1(i) in addition to the above mitigation measures would require implementation of avoidance and minimization measures for protected trees from development of the Project. As a result, implementation of BIO-1(i), BIO-4(a), and BIO-4(b) would reduce impacts to protected trees to a less than significant level.

4.4.3 Cumulative Impacts

Projects considered for the analysis of cumulative impacts include those recently completed, those currently under implementation, and those planned within the City. The Project with the mitigation described under Impacts BIO-1 through 5 would not result in significant impacts to biological resources. The quality and amount of habitat that would be lost to wildlife species as a result of the Project would not be significant when considering the habitat available within the surrounding area. Affected sensitive habitat would be restored after completion of construction. The loss of mature oak trees would be mitigated as required by the Paso Robles Oak Tree Preservation Ordinance. Migratory birds would be monitored and measures would be implemented during construction and also as part of the OSMP to avoid adverse effects to these species as well as other potential special status species that may occur within the Project site. Therefore, when considering the residual effects of the Project after mitigation they would not result in a significant cumulative impact on the City's biological resources.

4.5 Cultural and Tribal Cultural Resources

This section considers the potential for the Project to result in impacts to cultural resources and identifies opportunities to avoid, reduce, or otherwise mitigate potential impacts where warranted.

This analysis includes a description of the existing conditions at the Project site and surrounding area, a description of the prehistoric, ethnographic and historic settings, a summary of the regulatory framework that guides the decision-making process, thresholds for determining impact significance, analysis of impacts, and mitigation measures. The potential for impacts to cultural resources was analyzed in accordance with Appendix G of the State California Environmental Quality Act (CEQA) Guidelines and additional regulatory agency requirements.

The information in the Prehistoric Setting, Ethnography, and Historic Setting presented in the subsection below was excerpted and summarized from the Archaeological and Paleontological Resources Assessment for the Paso Robles Gateway Project San Luis Obispo County, California completed by Cogstone Resource Management Inc. (Gust et al. 2012).

4.5.1 Setting

The Project site is located in an unincorporated area of San Luis Obispo County south of the city of Paso Robles and northwest of the junction of United States Highway 101 (U.S. 101) and State Route 46 (SR 46) West. The Project site includes approximately 170 acres of undeveloped land characterized by rolling topography comprised of grasslands, scattered oak trees, and ephemeral drainages.

a. Regional Prehistoric Context

Archaeological evidence demonstrates that Native Americans have occupied the Central Coast of California for at least 10,000 years. Central Coast prehistory is divided into seven periods (Jones et al. 1994; Jones and Waugh 1995):

- Paleoindian/Paleocoastal (13,000 to 8,500 years before present [BP]),
- Millingstone Horizon (8,500 to 5,500 BP),
- Early Period (5,500 to 2,600 BP),
- Middle Period (2,600 to 1,000 BP),
- Middle/Late Transition (1,000 to 750 BP),
- Late Period (750 to 450 BP), and
- Protohistoric Period (450 to 150 BP).

Fluted points recovered from Santa Margarita and Nipomo suggest that humans used the San Luis Obispo County interior as early as the terminal Pleistocene/early Holocene era (13,500 to 10,000 BP) during the early portion of the Paleoindian/Paleocoastal period (Mills et al. 2005). Arguably the oldest known settlement in San Luis Obispo County, CA-SLO-1797 (the Cross Creek Site) located in the area of Lopez Lake, was first occupied around 10,000 years ago (Fitzgerald 2000).

The Project site is located in an area historically occupied by the Salinan and Chumash peoples (Kroeber 1953). The routes currently followed by State Route (SR) 41 and SR 46 were originally major aboriginal roads used for travel and trade for thousands of years, with resulting intermarriage

between the Salinan and Yokuts people from the east (Davis 1961). Traditional hunter-gatherers, the Salinans developed complex societies adapted to changing environmental and social conditions of the area. Land use and settlement patterns interpreted from archaeological evidence suggest that people of northeastern San Luis Obispo County lived in mobile bands more similar to ethnographic Great Basin cultures, in contrast to semi-sedentary inhabitants of well-watered areas west of the Salinas River (Milliken and Johnson 2002; Morro Group 2006). The Chumash occupied the region from San Luis Obispo County to Malibu Canyon on the coast, and inland as far as the western edge of the San Joaquin Valley, and the four northern Channel Islands (Grant 1978). The Chumash are subdivided into factions based on six distinct dialects: Barbareño, Ventureño, Purisimeño, Ynezeño, Obispeño, and Island. The Obispeño were the northernmost Chumash group, occupying much of San Luis Obispo County, including the Paso Robles area (Gibson 1983). The name Obispeño is derived from the mission with local jurisdiction, San Luis Obispo de Tolosa.

Ethnographic Context

The Project site lies within an area historically occupied by the Obispeño Chumash, so called after their historic period association with Mission San Luis Obispo de Tolosa (Gibson 1983; Kroeber 1925). The precise location of the boundary between the Chumashan-speaking Obispeño Chumash and their northern neighbors, the Hokan-speaking Salinan, is debatable (Milliken and Johnson 2005); however, Jones and Waugh (1995:8) note that "those boundaries may well have fluctuated through time in response to possible shifts in economic strategies and population movement."

The Chumash spoke six closely related Chumashan languages, which have been divided into two broad groups—Northern Chumash (consisting only of Obispeño) and Southern Chumash (Purisimeño, Ineseño, Barbareño, Ventureño, and Island Chumash) (Mithun 2004:389). The Chumashan language currently is considered an isolate stock with a long history in the Santa Barbara region (Mithun 2004:304). Groups neighboring the Chumash included the Salinan to the north, the Southern Valley Yokuts and Tataviam to the east, and the Gabrielino (Tongva) to the south. Chumash place names in the project vicinity include Pismu (Pismo Beach) and Tematatimi (along Los Berros Creek) (Greenwood 1978:520).

Only a general outline of the lifeways of the Obispeño Chumash is known based on the little ethnographic information available (Greenwood 1978). Although their language was closer to Southern Chumash groups, the material culture and lifeways of the Northern Chumash appear to have been more similar to their northern neighbors, the Salinan. Accordingly, their populations in this area are thought to have been substantially lower than in the Santa Barbara Channel area, their villages smaller, and their livelihood less based on intensive use of marine fisheries (Glassow et al. 1988; Greenwood 1978).

Permanent Chumash villages included hemispherical dwellings arranged in close groups, with the chief having the largest for social obligations (Brown 2001). Each Chumash village had a formal cemetery marked by tall painted poles and often with a defined entrance area (Gamble et al. 2001:191). Archaeological studies have identified separate sections for elite versus commoner families within the cemetery grounds (King 1969).

The acorn was a dietary staple for the mainland Chumash, though its dominance varied by coastal or inland location. Chumash diet also included cattail roots, fruits and pads from cactus, and bulbs and tubers of plants such as amole (Miller 1988:89). On the coast, the wooden plank canoe (tomol) was employed in the pursuit of marine mammals and fish. The tomol not only facilitated marine resource procurement but also facilitated an active trade network maintained by frequent crossings between the mainland and the Channel Islands.

Chumash populations were decimated by the effects of European colonization and missionization (Johnson 1987). Traditional lifeways largely gave way to laborer jobs on ranches and farms in the Mexican and early American periods. Today, the Santa Ynez Band of Chumash Indians is the only federally recognized Chumash tribe, though many people of Chumash descent continue to live throughout their traditional territory. cemetery marked by tall painted poles and often with a defined entrance area (Gamble et al. 2001:191). Archaeological studies have identified separate sections for elite versus commoner families within the cemetery grounds (King 1969).

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b. Regional Historic Context

Post-European contact history for California is generally divided into three periods: the Spanish Period (1769–1822), the Mexican Period (1822–1848), and the American Period (1848–present). The Spanish Period brought the establishment of the California mission system, while the Mexican Period is largely known for the division of the land of California into private land holdings. Following the Mexican-American war, the United States purchased California from Mexico; population of the state subsequently increased, particularly during the Gold Rush.

European contact in the San Luis Obispo region may have begun as early as 1587 with the visit of Pedro de Unamuno to Morro Bay, although some scholars have questioned this based on the ambiguity of Unamano's descriptions (Mathes 1968). A visit in 1595 by Sebastian Rodriguez Cermeno is better documented (Jones et.al. 1994). The earliest well-documented descriptions come from accounts by members of Gaspar de Portola's land expedition, which passed through the region in 1769 (Squibb 1984). No large villages, such as those seen along the Santa Barbara channel, were reported by early travelers in the San Luis Obispo region.

Permanent Spanish settlement of the region began with the founding of Mission San Luis Obispo de Tolosa in 1772. In 1822, Mexico attained independence from Spain. The Secularization Act, passed by the Mexican congress in 1833, provided for the immediate re-distribution of the missions and the transfer of mission lands to settlers and Indians. In 1848 at the end of the Mexican-American War, California was ceded to the United States and admitted to the Union in 1850. All grants were then subject to validation under U. S. laws (Angel 1883).

The drought of the early 1860s and its disastrous effect on the cattle industry that supported the ranchos led to the break-up of these large holdings and a dramatic change in the local economy of the region. By the 1880s, most of the ranchos were in the hands of Anglo owners. The region as a whole soon became a major agricultural area known for its fertility and variety of products (Angel 1883).

Local Historic Context

By the early 20th century wool, flour, and dairy were important income-generating products in the area (Bertrando 1999a). Some of the most important agricultural crops in the late 1800s were wheat, barley, and beans. Grain from area ranchos was processed at local mills. Production increased when steam-powered mills were constructed starting in the 1870s. In 1872, Captain John Harford began construction on the Pacific Coast Railway. The railway improved shipping methods of local crops and products, advancing the economy (HRG 2013).

A dairy industry began developing in San Luis Obispo County in the late 1860s after the drought years of 1862-64. During the 1880s, beans were the primary crop grown south of the city and continued into the early years of the 20th century (Bertrando 1999b). Other significant agricultural crops in the area in the early 20th century included winter peas, celery and flower seed. Japanese farmers in particular were successful with these crops through the 1930s.

c. Project Site Area Historic Context

The City of Paso Robles was formally incorporated in 1889. The City's early development is closely associated with its connection to the missions and location along El Camino Real, the artesian hot springs, tourism, ranching, and agricultural activity (El Paso de Robles Historical Society 2020). Later development was driven by the completion of U.S. Highway 101 (U.S. 101) and the establishment of the nearby military base at Camp Roberts. Paso Robles' architectural heritage includes resources from several periods of the city's development.

d. Existing Conditions on the Project Site

Cultural Resources

In 2012, Cogstone prepared a technical study addressing potential historical, archaeological, l resources on the Project site (Gust et al. 2012). The study included a cultural resources records search, Native American scoping, pedestrian survey, and review of historical information about the Project site. The archaeological records search conducted through the Central Coast Information Center at the University of Santa Barbara, Department of Anthropology and California Historic Resource Inventory System indicated that six previous cultural resource surveys had been conducted within parts of the Project site; however, no resources had been recorded. There are ten recorded sites within a one-mile radius of the Project site. Six of these resources were prehistoric in nature and generally consisted of lithic scatters, habitation sites, and milling features. Three of the ten resources contained historic and prehistoric remains and consisted of lithic scatters and historic-aged refuse scatters. One of the ten resources was a historic-aged structure. The Native American Heritage Commission (NAHC) reported no known Native American cultural resources within the Project site.

Based on the results of Gust et al. (2012), no built-environment resources are present on the Project site. The Project site previously contained a 19th century residence (P-42-002710), as well as multiple residential/agricultural complexes built in the mid to late 20th century; however, these structures were all demolished between 2006 and 2008 (Gust et al. 2012). No prehistoric archaeological features or sites were identified during the cultural resources study. A portion of the Project site was identified as sensitive for potential historic-era archaeological resources due to occupational history and the presence of surface artifacts. At 1505 S. Vine Street, a two-story Victorian house and numerous outbuildings including a large barn previously stood (P-42-002710)

before being demolished in 2007. The site consists of sparse debris of building materials and domestic refuse. Cogstone interviewed local residents, including a previous resident of 1505 S. Vine Street. These interviews resulted in the identification of the possible location of a privy and indicated that buried trash pits are possible on the property.

Tribal Cultural Resources

The City of Paso Robles conducted Native American consultation consistent with Senate Bill 18 and Assembly Bill 52 for the Project to identify potential concerns or issues associated with Native American cultural resources within the Project site. The City of Paso Robles mailed consultation letters to interested Native American groups in March 2019. Consultation requests were received by three contacts; the Northern Chumash Tribal Council, the Salinan Tribe of San Luis Obispo and Monterey Counties, and yak tityu tityu yak tilhini.

The City of Paso Robles conducted an in-person meeting with representatives of the Northern Chumash Tribal Council on March 29, 2019. The Northern Chumash Tribal Council representatives expressed their desire for the archaeology reports to be peer-reviewed. The methodology, setting, and findings of the cultural resources study are consistent with projects in Northern San Luis Obispo County and the report's findings of a lack of significant prehistoric archaeological resources are consistent with other Projects in the immediate vicinity. The Northern Chumash Tribal Council supports mitigation measures that require a monitoring plan be prepared in consultation with Native American tribes and a Native American monitor be on-site during initial ground disturbance activities.

The City of Paso Robles conducted an in-person consultation meeting with a representative of the Salinan Tribe on May 24, 2019. The Salinan Tribe representative explained the importance of the Salinan Tribe in the area and the importance of the area to the tribes in the area. A site visit with the representatives of the Salinan Tribe was conducted on June 7, 2019. The Salinan Tribe representative requested monitoring for potential burials for all Project ground disturbances in excess of four feet.

Efforts to schedule an in-person consultation meeting that was requested by yak tityu tityu yak tilhini were not responded to by the tribe.

Consultation with each of the three tribes has been concluded. All Native American parties contacted about the Project site are described in the Tribal Consultation Summary (Appendix E).

e. Regulatory Setting

Federal Regulations

National Register of Historic Places

The NRHP is an authoritative guide to be used by federal, state, and local governments, private groups, and citizens to identify the Nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment (36CFR60, Section 60.4). The National Park Service administers the NRHP program.

The criterion for listing in the NRHP follows guidelines established by the National Park Service (NPS) for determining the significance of properties. The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects:

A. That are associated with events that have made a significant contribution to the broad patterns of our history;
B. That are associated with the lives of persons who are significant in our past;
C. That embody the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; and/or
D. That have yielded, or may be likely to yield, information important in prehistory or history (36CFR60, Section 60.3).

In addition to meeting any or all of the eligibility criteria listed above, properties must also possess historic integrity in order to be eligible for listing in the NRHP. Historic integrity is the ability of a property to convey its significance and is defined as the "authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic period" (36CFR60, Section 60.3, 3). The NPS defines seven aspects of integrity: location, design, setting, materials, workmanship, feeling, and association. As per the National Register Bulletin 15, to retain integrity the property must always demonstrate several of these aspects; however, determining the most important of these aspects requires specific information related to when, where, why the property is significant. These qualities are defined as follows:

- **Location** is the place where the historic property was constructed or the place where the historic event took place.
- **Design** is the combination of elements that create the form, plan, space, structure, and style of a property.
- **Setting** is the physical environment of a historic property.
- **Materials** are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.
- **Workmanship** is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
- **Feeling** is a property's expression of the aesthetic or historic sense of a particular period of time.
- **Association** is the direct link between an important historic event or person and a historic property.

State Regulations

Assembly Bill 52

Assembly Bill 52 (AB 52) amends Public Resources Code (PRC) Section 5097.94 and adds eight new sections to the PRC relating to Native Americans. It was passed and signed into law in 2014 and took effect on July 1, 2015. This law establishes a new category of resource called tribal cultural resources, as defined in PRC Section 21074,) and establishes a process for consulting with Native American tribes and groups regarding those resources. The consultation process must be completed before a CEQA document can be certified. Native American tribes to be included in the process are identified through consultation with the California Native American Heritage Commission (NAHC; PRC Section 21080.3.1).

Tribal cultural resources are "[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe…" (PRC Section 21074(a)(1)). A tribal cultural resource must be on, or eligible for, the California Register of Historical Resources (CRHR),

or must be included in a local register of historical resources. The lead agency can also determine that a tribal cultural resource is significant even if it has not been evaluated as eligible for the CRHR or is not on a local register.

Assembly Bill 52 establishes that "A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment" (PRC Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3[a]).

Senate Bill 18

Passed in 2004, Senate Bill 18 (SB 18) requires cities and counties to consult with Native American tribes to help protect traditional tribal cultural places through the land use planning process for general plan adoption or amendments and for specific plan adoption or amendments . This Project includes a GPA to incorporate the annexation area into the General Plan and apply a GP designation.

California Environmental Quality Act

CEQA requires that environmental protection be given significant consideration in the decision making process. Historical resources are included under environmental protection. Thus, any project or action which constitutes a substantial adverse change to a historical resource also has a significant effect on the environment pursuant to the *State CEQA Guidelines*.

When the CRHR was established in 1992, the Legislature amended CEQA to clarify which cultural resources are significant, as well as which project impacts are considered to be significantly adverse. A "substantial adverse change" means "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired" (*State CEQA Guidelines* Section 15064.5[b][1]).

A historical resource is a resource listed, or determined to be eligible for listing in the California Register of Historical Resources (CRHR); a resource included in a local register of historical resources; or an object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be *historically significant* (State CEQA Guidelines, Section 15064.5[a][1-3])..

According to CEQA, a historical resource is a resource that is:

- Listed in the CRHR;
- Determined eligible for the CRHR by the State Historical Resources Commission;
- Included in a local register of historical resources;
- Identified as significant in an historical resource survey meeting the requirements of PRC 5024.1 (g); or
- Determined by a Lead Agency to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Generally, this category includes resources that meet the criteria for listing on the CRHR (PRC Section 4852).

The fact that a resource is not listed in, or determined eligible for listing in, the CRHR, not included in a local register of historical resources, or not deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1, does not preclude a lead agency from determining that the resource may be an "historical resource" for purposes of CEQA.

In addition, if a project can be demonstrated to cause damage to a unique archaeological resource, the lead agency may require reasonable efforts to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC, Section 21083.2[a], [b], and [c]).

PRC, Section 21083.2(g) defines a unique archaeological resource as an artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information; or
- Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

California Register of Historic Resources

The CRHR is the authoritative guide in California used by state and local agencies, private groups, and citizens to identify the State's historic resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change (PRC, Section 5024.1[a]). The following criteria for eligibility for listing in the CRHR are based on NRHP criteria:

1. Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.
2. Associated with the lives of persons important to local, California or national history.
3. Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values.
4. Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation.

The CRHR consists of resources that are listed automatically and those that have been nominated through an application and public hearing process. The CRHR includes the following:

- California properties formally determined eligible for listing in the NRHP, identified with a California Historical Resources Status Code (Status Code) 2 in the California Historic Resources Inventory (HRI); or listed in the NRHP (Status Code 1 in the HRI).
- State Historical Landmarks No. 770 and all consecutively numbered state historical landmarks following No. 770. For state historical landmarks preceding No. 770, the Office of Historic Preservation (OHP) shall review their eligibility for the CRHR in accordance with procedures to be adopted by the State Historical Resources Commission (Commission).
- Points of historical interest which have been reviewed by the OHP and recommended for listing by the Commission for inclusion in the CRHR in accordance with criteria adopted by the commission (PRC, Section 5024.1[d]).

In addition, the CRHR uses the seven aspects of integrity as defined by the NPS for evaluating properties. The CRHR requires that properties “must meet one of the criteria of significance… and retain enough of their historic character or appearance to be recognizable as historical resources

and to convey the reasons for their significance" (California Office of Historic Preservation Technical Assistance Series #6, 2).

Codes Governing Human Remains

Section 15064.5 of the *State CEQA Guidelines* also assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. The disposition of human remains is governed by Health and Safety Code Section 7050.5 and PRC Sections 5097.94 and 5097.98, and falls within the jurisdiction of the NAHC. If human remains are discovered, the County Coroner must be notified and there should be no further disturbance to the site where the remains were found. If the remains are determined by the coroner to be Native American, the coroner is responsible for contacting the NAHC within 24 hours. The NAHC, pursuant to PRC Section 5097.98, will immediately notify those persons it believes to be most likely descended from the deceased Native Americans so they can inspect the burial site and make recommendations for treatment or disposal.

Local Regulations

The Project is subject to local measures, including the City's Zoning Ordinance and Historic Preservation Ordinance and the City's General Plan. These regulations are discussed below.

City of Paso Robles Historic Preservation Ordinance

According to Section 21.50.080B of the City of Paso Robles Historic Preservation Ordinance, a building, structure, object or site may be designated as a Historic Landmark if it possesses sufficient character-defining features, integrity of location, design, setting, materials, workmanship, feeling or association and meets at least of the following criteria:

- It reflects special elements of the City's historical, archeological, cultural, social, economic, aesthetic, engineering or architectural development;
- It is identified with persons or events significant in local, state or national history;
- It embodies distinctive characteristics of a style, type, period or method of construction, or it is a valuable example of the use of indigenous materials or craftsmanship; or whether the building or structure represents an established and familiar visual feature of a neighborhood or community of the city; or
- It has yielded, or has the potential to yield, information important to the history or prehistory of Paso Robles, California or the nation.

City of Paso Robles General Plan

The Conservation Element of the General Plan (2003) addresses historic and architectural resources within the City. New development is evaluated for consistency with the following adopted goals and policies relating to archaeological and historical resources:

GOAL C-6: Cultural Resources. Strive to preserve/protect important historic and archeological resources.

> **Policy C-6A: Historic Resources.** Encourage the preservation and restoration of historic buildings in the downtown and the Vine Street neighborhood.
>
> > **Action Item 1.** Continue to implement the Council adopted Downtown Design Guidelines.

Action Item 2. Establish a Vine Street Historic and Architectural Preservation Overlay District for the historic neighborhood located between Chestnut Street, Oak Street, 8th Street and 21st Street, inclusive of both sides of these boundary streets. Prepare and implement design guidelines for future development and renovations within this District. The intent of these guidelines would be to maintain the historic character of the neighborhood.

Policy C-6B: Archaeological Resources. Strive to preserve/protect "unique archaeological resources" as defined by the California Environmental Quality Act (CEQA).

Action Item 1. Require the preparation of archaeological studies and/or preliminary evaluation reports for new developments that are subject to CEQA and the site could potentially contain a "unique archaeological resource." Incorporate mitigation measures identified by such studies into the development.

Paso Robles Municipal Code

In addition to the City of Paso Robles's requirements to preserve and protect cultural resources, Titles 17 – Buildings and Construction and 21 – Zoning, and Article V of the City's Code of Ordinances contain various, specific requirements for the review, designation, preservation, and protection of historic and archeological resources in the City.

4.5.2 Impact Analysis

a. Methodology and Significance Thresholds

Significance Thresholds

If a project may cause a substantial adverse change in the characteristics of a resource that convey its significance or justify its eligibility for inclusion in the CRHR or a local register, either through demolition, destruction, relocation, alteration, or other means, then the project is judged to have a significant effect on the environment (CEQA Guidelines, Section 15064.5[b]). The following thresholds are based on Appendix G of the *State CEQA Guidelines*. Impacts would be significant if the project would:

1. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5;
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5;
3. Disturb any human remains, including those interred outside of formal cemeteries.
4. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
   - Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
   - A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Direct impacts can be assessed by identifying the types and locations of proposed development, determining the exact locations of cultural resources within the Project site, assessing the significance of the resources that may be affected, and determining the appropriate mitigation. Removal, demolition, or alteration of historical resources can permanently impact the historic fabric of an archaeological site, structure, or historic district.

Methodology

Cultural Resources

The State Legislature, in enacting the CRHR, amended CEQA to clarify which properties are significant, as well as which project impacts are considered to be significantly adverse. A project with an effect that may cause a substantial adverse change in the significance of a historic resource is a project that may have significant effect on the environment (Section 150645[b]). A substantial adverse change in the significance of a historic resource means demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired (Section 150645[b][1]).

The *States CEQA Guidelines* further state that "[t]he significance of an historic resource is materially impaired when a project… [d]emolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in the California Register … local register of historic resources… or its identification in an historic resources survey."

As such, the test for determining whether or not the Project will have a significant impact on identified historic resources is whether it will materially impair physical integrity of the historic resource such that it could no longer be listed in the National or California Registers or the local landmark program.

b. Project Impacts and Mitigation Measures

Threshold 1:	Would the Project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?
Threshold 2:	Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064?

Impact CUL-1 PROJECT GRADING AND OTHER GROUND-DISTURBING ACTIVITIES COULD RESULT IN IMPACTS TO PREVIOUSLY UNIDENTIFIED ARCHAEOLOGICAL RESOURCES THAT MAY BE CONSIDERED HISTORICAL RESOURCES. THEREFORE, THIS IMPACT WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

The Project site is currently undeveloped land that has been historically used for intermittent grazing and a non-irrigated defunct almond orchard. The Project site previously contained historic-era structures; however, all structures previously located on the Project site were demolished between 2006 and 2008. Therefore, there are no built-environment resources on the Project site that may be considered historical resources.

No prehistoric archaeological resources are known to exist on or adjacent to the Project site, though nine are known to be present within a 1-mile radius of the Project site. Because of the agricultural disturbance on the Project site, the cultural resources study did not identify the Project site as sensitive for prehistoric archaeological resources (Gust et al. 2012). However, construction of the

Project involves grading and excavation in areas that could contain unanticipated subsurface prehistoric archaeological remains.

A subsurface late-nineteenth early-twentieth century privy associated with a former Victorian house at 1505 South Vine Street is known to exist in a limited area, and buried trash pits are also possible. Grading in this area could destroy any historic-era archaeological remains that may be present.

Impacts to archaeological resources, including those that may be considered historical resources, are potentially significant and mitigation is required.

Mitigation Measures

The following measures would reduce potential impacts to subsurface historical and archaeological resources to a less than significant level.

CR-1(a) Cultural Resources Monitoring Plan and Qualified Principal Investigator/Native American Monitor

A qualified principal investigator, defined as an archaeologist who meets the Secretary of the Interior's Standards for professional archaeology (hereafter qualified archaeologist), and a Native American monitor shall be retained to carry out all mitigation measures related to archaeological resources.

A cultural resource monitoring plan (CRMP) will be developed by the principal investigator in consultation with the Native American Tribes that identifies the locations and activities that require monitoring. The principal investigator shall inspect initial subsurface construction disturbance at locations that may harbor subsurface resources that were not identified on the site surface. The monitor(s) shall be on-site during initial earthmoving activities, including grading, trenching, vegetation removal, or other excavation activities as specified by the CRMP.

Plan Requirements and Timing. The CRMP shall be submitted to the city for review and approval prior to issuance of a grading permit. The Owner/Applicant shall retain a qualified archaeologist and Native American to implement the above measures.

Monitoring. The city will review the CRMP prior to issuance of grading permits. The city will monitor compliance during construction.

CR-1(b) Unanticipated Discovery of Archeological Resources

The CRMP will describe that in the event that archaeological resources are exposed during construction activity, all work shall be halted in the vicinity of the archaeological discovery until a qualified archaeologist can visit the site of discovery and assess the significance of the resource. In the event that any artifact or an unusual amount of bone or shell is encountered during construction, work shall be immediately stopped within 100 feet of the exposed resource until a qualified archaeologist can evaluate the find. Examples of such resources might include: ground stone tools such as mortars, bowls, pestles, and manos; chipped stone tools such as projectile points or choppers; flakes of stone not consistent with the immediate geology such as obsidian or fused shale; historic trash pits containing bottles and/or ceramics; or structural remains. If the resources are found to be significant, they must be avoided or mitigated pursuant to the qualified archaeologist's direction and in consultation with appropriate Native American tribal representatives. Mitigation may involve preservation in place or documentation and excavation of

the resource. A report by the archaeologist evaluating the find and identifying mitigation actions taken shall be submitted to the city.

Plan Requirements and Timing. These requirements shall be described in the CRMP and reflected on grading and building plans and implemented during construction.

Monitoring. The city will review the CRMP prior to issuance of grading permits. The city will monitor compliance during construction.

Significance After Mitigation

Implementation of Mitigation Measures CR-1(a) and CR-1(b) would reduce potential impacts to archaeological resources to a less than significant level.

Threshold 3:	Would the Project disturb any human remains, including those interred outside of formal cemeteries?

Impact CUL-2 GROUND-DISTURBING ACTIVITIES ASSOCIATED WITH DEVELOPMENT UNDER THE PROPOSED PROJECT HAVE THE POTENTIAL TO DISTURB UNIDENTIFIED HUMAN REMAINS. IMPACTS WOULD BE CLASS III, LESS THAN SIGNIFICANT.

Human burials outside of formal cemeteries often occur in prehistoric archeological contexts. The Project site is developed and therefore the possibility of encountering human burial grounds during construction is unlikely. Excavation during construction activities would nevertheless have limited potential to disturb these resources, including Native American burials.

Unanticipated discovery of human remains during Project excavation would require compliance with Health and Safety Code Section 7050.5 and PRC Sections 5097.94 and 5097.98. PRC Section 5097.98 also addresses the disposition of Native American burials, protects such remains, and established the Native American Heritage Commission to resolve any related disputes. Compliance with Health and Safety Code Section 7050.5 and PRC Sections 5097.94 and 5097.98 would ensure that unanticipated discovery of human remains during Project excavation, including those interred outside of formal cemeteries, would be addressed appropriately by the County Coroner and NAHC (if required).

Compliance with existing regulations would ensure that impacts to human remains and burial grounds would remain less than significant.

Mitigation Measures

This impact would be less than significant, and no mitigation is required.

Threshold 4:	Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?
Threshold 5:	Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Impact CUL-3 GRADING AND OTHER GROUND-DISTURBING ACTIVITIES COULD RESULT IN IMPACTS TO PREVIOUSLY UNIDENTIFIED TRIBAL CULTURAL RESOURCES. IMPACTS WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

As of the date of this EIR, no tribal cultural resources have been identified on the Project site during the SB 18 and AB 52 consultation process. However, grading and other ground-disturbing activities on the Project site may encounter previously undiscovered cultural resources of Native American origin that could be considered tribal cultural resources. Ground disturbance activities during construction include excavation of material sources, clearing and grubbing, grading, placement of crushed aggregate base and paved surface, revegetation, and installation of signs and other Project features. Therefore, activities resulting from implementation of the Project, including construction-related and earth-disturbing actions, could damage or destroy tribal cultural resources. As a result, impacts to such resources would be potentially significant, requiring mitigation to ensure documentation of known archaeological sites, monitoring for unknown sites during construction, and continued consultation with local Native Americans if resources of Native American origin are unearthed during construction.

Mitigation Measures

CR-3 Unanticipated Discovery of Tribal Cultural Resources

In the event that cultural resources of Native American origin are identified during construction activity all work shall be halted in the vicinity of the discovery until the significance of the resource can be assessed. The city shall begin or continue Native American consultation procedures, in coordination with a qualified archaeologist, if appropriate. If the city, in consultation with local Native Americans, determines that the resource is a tribal cultural resource and thus significant, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with local Native American group(s). The mitigation plan may include but would not be limited to capping and avoidance, excavation and removal of the resource, interpretive displays, sensitive area signage, or other mutually agreed upon measure.

Plan Requirements and Timing. These requirements shall be described in the CRMP and reflected on grading and building plans.

Monitoring. These measures shall be implemented during grading and construction. The Owner/Applicant shall retain a qualified archaeologist and Native American monitor to monitor compliance with the above measures.

Significance After Mitigation

Implementation of Mitigation Measures CR-1(a) and CR-3 would reduce potential impacts to tribal cultural resources to a less than significant level.

4.5.3 Cumulative Impacts

Past, present, and reasonably foreseeable projects in and around the city (refer to Section 3.3, Cumulative Development) would contribute to loss of historical resources, archaeological resources, and tribal cultural resources. The Project could incrementally contribute to the cumulative loss of archaeological resources. Impacts to historic and archaeological resources are generally site-specific. For other projects in the vicinity of the Project site that would have significant impacts to historical, archaeological, and tribal cultural resources, similar conditions and mitigation measures described herein would be required through site-specific investigations and surveys as well as the assessment of potential impacts and prescription of appropriate mitigation. As with the Project, other cumulative development that would result in potential impacts to historical, archaeological, and tribal cultural resources would be subject to applicable federal and state laws, and local goals and policies. Accordingly, as required under applicable laws and regulations, potential impacts associated with cumulative developments would be addressed on a case-by-case basis.

As described in Section 4.5.2(b), with the implementation of mitigation measures CR-1(a), CR-1(b), and CR-3, the Project would not result in the loss of any significant identified historical, archaeological or tribal cultural resources. Therefore, with mitigation, the Project would not contribute considerably to the cumulative loss of cultural resources in the vicinity.

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4.6 Geology and Soils

This section discusses the Project's potential impacts relating to geologic hazards. This section incorporates setting and impact analysis from the following reports prepared for the project: Geotechnical Feasibility/Geologic Hazards Study and Percolation Testing Report (Geotechnical Report) prepared by Earth Systems Pacific in June 2012; the Archaeological and Paleontological Resources Assessment prepared by Cogstone in June 2012; the Update of Geotechnical Feasibility Report prepared by Earth Systems Pacific in June 2018; and the Preliminary Grading and Drainage Plans prepared by Fuscoe Engineering in April 2019. These reports are provided in Appendix F.

4.6.1 Setting

a. Geologic Setting

Regional

The Project area is located near the base of the eastern flanks of the Santa Lucia Mountain Range, within the Coast Ranges Geomorphic Province of California. The Coast Ranges Geomorphic Province is divided into two major blocks: the Salinian block and the Coastal block. The Project area is within the Salinian block, which consists primarily of granitic and metamorphic rock units. The Salinian block is separated from the Coastal block to the west by the Sur-Nacimiento fault zone, and bounded to the east by the San Andreas fault. The Rinconada fault trends through the middle of the Salinian block, extending from the central portion to the north end of the Salinian block. In the general vicinity of the Project site, the basement rock units are overlain by Miocene-age Monterey Formation, early to late Plio-Pleistocene-age Paso Robles Formation, older alluvium, and Holocene surficial alluvial deposits.

Project Site

The Project Site is located approximately 0.4 miles west of the Salinas River. The Project site is primarily vacant and is characterized by gently sloping hills of approximately 10 to 20 percent in grade, and includes grasslands and clusters of oak trees. Existing and historical land uses of the site include intermittent grazing and non-irrigated almond orchards. Runoff generally drains through the site, from east to west, via sheet flow and through several ephemeral streams that occur during heavy rain periods. Runoff ultimately flows towards Vine St, where it is collected in culverts that ultimately discharging into the Salinas River.

Soils on the project site generally consist of sandstones and claystones of the Paso Robles Formation in the southern and northern parts of the Project site. The central areas of the Project site contain soils generally consisting of gravel, sand, and clay older alluvium. Gravel, sand and clay alluvium is present within the drainages on the Project site.

b. Seismic and Other Geologic Hazards

Similar to much of California, the Project site is located within a seismically active region. The Coast Ranges geomorphic province area is characterized by northwest-trending faults controlled mainly by the San Andreas and Rinconada faults. Regional faults are depicted in the Paso Robles General Plan Safety Element (City of Paso Robles 2014), and the County's General Plan Safety Element (San Luis Obispo County 1999). Other potential seismic hazards known to occur within the vicinity of the project site include fault rupture, ground shaking, liquefaction and seismically induced settlement, expansive soils, and erosive soils.

Fault Rupture

Seismically-induced ground rupture occurs as the result of differential movement across a fault. An earthquake occurs when seismic stress builds to the point where rocks rupture. As the rocks rupture, one side of a fault block moves relative to the other side. The resulting shock wave is the earthquake. If the rupture plane reaches the ground surface, ground rupture occurs. Surface rupture is confined to the area very near to the fault. According to the California Department of Conservation (DOC), the Project site is not located within an Alquist-Priolo Earthquake Fault Zone and no active faults have been mapped adjacent to or across the Project site. The Rinconada Fault, located approximately 1.2 miles to the east, is the closest known active fault to the Project site. The potential for surface ground rupture to occur at the Project site is low.

Ground Shaking/Ground Motions

Section 1613 of the 2016 California Building Code (CBC) requires that structures be designed and constructed to resist the effects of seismic ground motions. The design of such structures is dependent on the following criteria:

1. Soil site class, which are based on soil classifications A-F (hard rock, rock, very dense soil/soft rock, stiff soil, soft soil and special soil);
2. Building occupancy use, which is categorized by four types – Type IV (agricultural buildings), Type III (essential buildings), Type II (structures that represent a substantial hazard in the event of a collapse), Type I (all other buildings); and
3. Mapped spectral accelerations for short periods and for a one-second period.

Only small to moderate earthquakes (i.e., <5.9 magnitude) have occurred on the Rinconada Fault in Holocene time (i.e., last 11,000 years). An active segment of the Los Osos Fault lies approximately 23 miles southwest of the Project site. The San Andreas Fault, located approximately 27 miles northeast of the Project site, is the most seismically active fault in California. In the vicinity of Parkfield, approximately 26 miles northeast of the Project site, a 20-mile segment of the San Andreas Fault is locked, meaning that this segment only generates an earthquake every 20 years on average. A 6.0 magnitude earthquake last occurred on this fault segment on September 28, 2004. The Hosgri-San Simeon Fault System is located approximately 23 miles west of the Project site. On December 22, 2003 a 6.5 magnitude earthquake occurred within the Hosgri-San Simeon Fault System approximately 26.5 miles north of the Project site. The most severe damage from this earthquake was in the City of Paso Robles, and included two casualties, widespread structural damage, and eruption of two sulfur hot springs in the city.

Due to the proximity of several faults in the Project region that are capable of producing strong ground motion, including the San Andreas Fault, the Rinconada Fault, the Los Osos Fault, and the

Hosgri-San Simeon Fault system, seismically induced ground shaking would be expected to be experienced at the Project site during a seismic event (Appendix F1).

Liquefaction and Seismically Induced Settlement

Liquefaction is a seismic phenomenon in which loose, saturated granular, and non-plastic fine-grained soils lose their structure/strength when subjected to high-intensity ground shaking. Liquefaction occurs when three general conditions exist:

1. Shallow groundwater (within the top 50 feet of the ground surface);
2. Low density non-plastic soils; and
3. High intensity ground motion.

Lateral spreading occurs when slopes become unstable during liquefaction, and level areas near descending slopes move laterally toward the slope.

According to the Geotechnical Report, there is potential for liquefaction to occur where alluvial soils are present to substantial depths, particularly near on-site drainages. There is also potential for lateral spreading along the on-site drainage channel banks (Appendix F1).

Settlement can occur when foundations and surface improvements span soils with variable consolidation characteristics, such as the soils with variable moisture and density. Settlement can stress and damage foundations and surface improvements, resulting in cracks and displacement. Differential settlement can occur when a foundation of a particular structure spans two materials having different settlement characteristics. Based on soil borings conducted as part of the eotechnical study, the Project site contains alluvium characterized by loose soil conditions with high settlement potential. Due to the presence of alluvium and the Paso Robles Formation on the Project site, there is also potential for differential settlement on the Project site (Appendix F1).

Landslides and Slope Instability

The Project site is currently in the San Luis Obispo County jurisdictional area. The San Luis Obispo County General Plan Safety Element identifies moderate landslide potential in the Project site area. The Safety Element specifies that the “moderate” designation applies to areas with slopes of greater than 20 percent, even where the underlying geologic units are not considered susceptible to slope instability and have no known history of landslides or slope instability. The City of Paso Robles General Plan Safety Element identifies low to moderate landslide potential in the Project site area. The Project site topography was assessed by a Certified Engineering Geologist as part of the geotechnical study for indications of potential landslide and slope instability. No evidence of landslides or slope instability was observed in the proposed development areas of the Project site. Areas of shallow, surficial slumping on slopes adjacent to drainages and isolated areas of surficial instability due to erosion were identified along drainage channels (Appendix F1).

Expansive Soils

Soils with relatively high clay content are expansive due to the capacity of clay minerals to take in water and swell/expand. Expansive soils tend to swell with seasonal increases in soil moisture and shrink during the dry season as soil moisture decreases. The volume changes that the soils undergo in this cyclical pattern can stress and damage slabs and foundations if precautionary measures are not incorporated in design and in the construction procedure. Expansion index testing of soils on the

Project site as part of the geotechnical study and in accordance with ASTM D 4829-11 indicated low to high expansion potential onsite (Appendix F1).

Erosive Soils

Soil erosion is the removal of soil by water and wind. Physical properties of the soils as well as environmental factors that influence erosion potential include the amount of rainfall and wind, topography, and the amount and type of vegetative cover. According to the Geotechnical Report, soils on the Project site possess moderate to high erosion potential, particularly on slopes with steeper gradients and along the outside bends of drainage channels (Appendix F1).

c. Paleontological Resources

Regional and local surficial geologic mapping in the Project vicinity is detailed in the Archaeological and Paleontological Resources Assessment (Gust et al.). The Project site is underlain by Quaternary alluvium (Qa), Quaternary older alluvium (Qoa), and Paso Robles Formation (QTp), which may be associated with paleontological resources. Paleontological resources including extinct Pleistocene animals are known from Quaternary sediments in the local area of the Project site. While the exact formation was often not recorded, Quaternary older alluvium or Paso Robles Formation are of the correct age to contain these resources, and fossils have been located on and near the Project site. As detailed in the Archaeological and Paleontological Resources Assessment, the fossils found on the Project site are likely to have been washed there from areas beyond the site, and were not deemed scientifically significant because they were not recovered from their original depositional environment (Gust et al.).

d. Regulatory Setting

California Building Code

The California Building Code (CBC), Title 24, Part 2 provides building codes and standards for the design and construction of structures in California. The 2016 CBC is based on the 2015 International Building Code with the addition of more extensive structural seismic provisions. Chapter 16 of the CBC contains definitions of seismic sources and the procedure used to calculate seismic forces on structures. The CBC requires addressing soil-related hazards, such as treating hazardous soil conditions involving removal, proper fill selection, and compaction, prior to construction. In cases where soil remediation is not feasible, the CBC requires structural reinforcement of foundations to resist the forces of expansive soils.

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was signed into law following the 1971 San Fernando earthquake. The Act provides a mechanism for reducing losses from surface fault rupture on a statewide basis. The intent of the Act is to ensure public safety by prohibiting the siting of most structures for human occupancy across traces of active faults that constitute a potential hazard to structures from surface faulting or fault creep. This Act groups faults into categories of active, potentially active, and inactive. Historic and Holocene age faults are considered active, Late Quaternary and Quaternary age faults are considered potentially active, and pre-Quaternary age faults are considered inactive.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act directs the California Geological Survey to delineate Seismic Hazard Zones. The purpose of the Act is to reduce the threat to public health and safety and to minimize the loss of life and property by identifying and mitigating seismic hazards. Cities, counties, and state agencies are directed to use seismic hazard zone maps developed by the California Geological Survey in their land-use planning and permitting processes. The Act requires that site-specific geotechnical investigations be performed prior to permitting most urban development projects within seismic hazard zones.

City of Paso Robles Regulations

The City of Paso Robles General Plan (2014) is intended to guide land use planning by providing goals and policies to minimize the adverse effects of geologic hazards and ensure adequate design of structures. Goals and policies that are applicable to the project include:

Policy S-1D: Structural Safety. The City will rely on its planning and building permit review process to ensure that existing and proposed structures are adequately designed, and to reduce susceptibility to damage from fire, flooding, and geologic hazards.

> **Action Item 4.** The City will discourage the locating of critical facilities within identified hazard areas.
>
> **Action Item 6.** The City will prohibit construction within seismic and geologic hazards areas, including: areas directly astride known active or potentially active faults or fault zones; areas in high landslide risk areas without site-specific slope stability investigations; and areas of potential liquefaction without site-specific analysis of liquefaction potential.
>
> **Action Item 7.** In reviewing development proposals for future water impoundments, the City will require an evaluation of potential inundation areas and design of the dam to withstand earthquakes.

Section 20.12 of the Paso Robles Municipal Code describes requirements for soils and geology reports and grading permit requirements. Title 20 Grading and Title 22 Subdivisions of the Municipal Code describes requirements related to the control of drainage and stormwater and the design of streets and other public improvements.

4.6.2 Impact Analysis

a. Methodology and Significance Thresholds

Assessment of impacts is based on review of site information and conditions and City information regarding geologic issues. In accordance with the State CEQA Guidelines, a project would result in a significant impact if it would:

1. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
   - 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;
   - Strong seismic ground shaking;

- Seismic-related ground failure, including liquefaction; or
- Landslides.

2. Result in substantial soil erosion or the loss of topsoil;
3. 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;
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property;
5. 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; and/or
6. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Potential impacts related to soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems are discussed in Section 4.15, Effects Found Not to be Significant.

a. Project Impacts and Mitigation Measures

Threshold 1:	Would the Project directly or indirectly cause 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. ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides?
Threshold 3:	Would the Project 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?

Impact GEO-1 DEVELOPMENT ON THE PROJECT SITE WOULD BE EXPOSED TO RISKS ASSOCIATED WITH GEOLOGICAL HAZARDS INCLUDING SETTLEMENT; SLOPE INSTABILITY; AND LIQUEFACTION THAT COULD CAUSE DAMAGE TO STRUCTURES, PROPERTY, UTILITIES, ROAD ACCESS, AND PEOPLE. IMPACTS WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

No active faults are mapped across or adjacent to the Project site, and the site is not located in an Alquist-Priolo Earthquake Fault Zone. The closest known potentially active fault is the Rinconada Fault, located approximately 1.2 miles east of the Project site. Surface rupture is confined to the area very near to the fault. Therefore, the potential for surface ground rupture to occur at the Project site is low, and potential impacts associated with rupture would be less than significant.

The Project site is located in a region with high seismicity and may be subject to strong ground shaking from earthquakes on regional faults. Aside from direct physical damage to structures caused by ground shaking, marginally stable slopes and inadequately compacted fill material could move

and cause additional damage. Gas, water, and electrical lines can be ruptured during the ground shaking or broken during the movement of material activated by the seismic event, which can jeopardize public safety after an earthquake. As detailed in Section 4.6.1.b, several faults in the Project region are capable of producing strong ground motion, including the San Andreas Fault, the Rinconada Fault, the Los Osos Fault, and the Hosgri-San Simeon Fault system, which produced a 6.5 magnitude earthquake resulting in two casualties in the City in 2003. Due to the proximity of the Project site to these faults and fault systems, seismically induced ground shaking would be expected to occur on the Project site in the event of a large earthquake on these faults. The CBC requires new habitable structures to be engineered to withstand expected ground accelerations. Consistent with CBC requirements, habitable structures on the Project site would be engineered to withstand expected ground accelerations from an earthquake on the Rinconada Fault or other nearby faults. The project would not risk exacerbating any impacts associated with seismicity, and compliance with all applicable provisions of the CBC would ensure that impacts from ground shaking would remain less than significant.

According to the Geotechnical Report, there is potential for liquefaction to occur where alluvial soils are present to substantial depths, particularly near on-site drainages. There is also potential for lateral spreading along the on-site drainage channel banks. Based on soil borings conducted as part of the geotechnical study, the Project site contains alluvium characterized by loose soil conditions with high settlement potential. Due to the presence of alluvium and the Paso Robles Formation on the Project site, there is also potential for differential settlement. No evidence of landslides or slope instability was observed in the proposed development areas of the Project site (Appendix F1). Structural development of the Project site would exacerbate risks associated with geologic hazards, by putting people and structures in areas of known potential for liquefaction, lateral spreading, and total and differential settlement. Impacts would be potentially significant and mitigation would be required.

Mitigation Measures

Mitigation Measures GEO-1(a) and GEO-1(b) are required to ensure that soils on the Project site are to avoid risks associated with soil instability and settlement.

GEO-1(a) Geotechnical Investigation and Reporting

The recommendations of the Geotechnical Report, including those pertaining to site-specific geotechnical engineering investigations for each of the major components/improvements included in the Project and intended to reduce impacts from soil instability and settlement, shall be incorporated into the project plans and specifications.

Plan Requirements and Timing. To be confirmed by the city prior to issuance of grading permits.

Monitoring. The Geotechnical Engineer is to perform testing and field observation as necessary to confirm that design, construction, and cost specifications to withstand potential geologic hazards conform to the findings and recommendations of the site-specific geotechnical engineering investigations, to the satisfaction of the Building Official and the City Engineer.

GEO-1(b) Earthwork Program

The recommendations of the Geotechnical Report and update thereto, including those pertaining to preparation of an earthwork program shall be incorporated into the project plans and specifications.

Plan Requirements and Timing. To be confirmed by the city prior to issuance of grading permits.

Monitoring. The Geotechnical Engineer shall verify preparation of an earthwork program as necessary to ensure that design and construction conform the recommendations of the Geotechnical Report and update thereto to the satisfaction of the City Engineer.

Significance After Mitigation

Implementation of Mitigation Measures GEO-1(a) and GEO-1(b) and implementation of applicable CBC requirements during design and development of the site would reduce impacts associated with the settlement, soil instability, and seismic activity to a less than significant level.

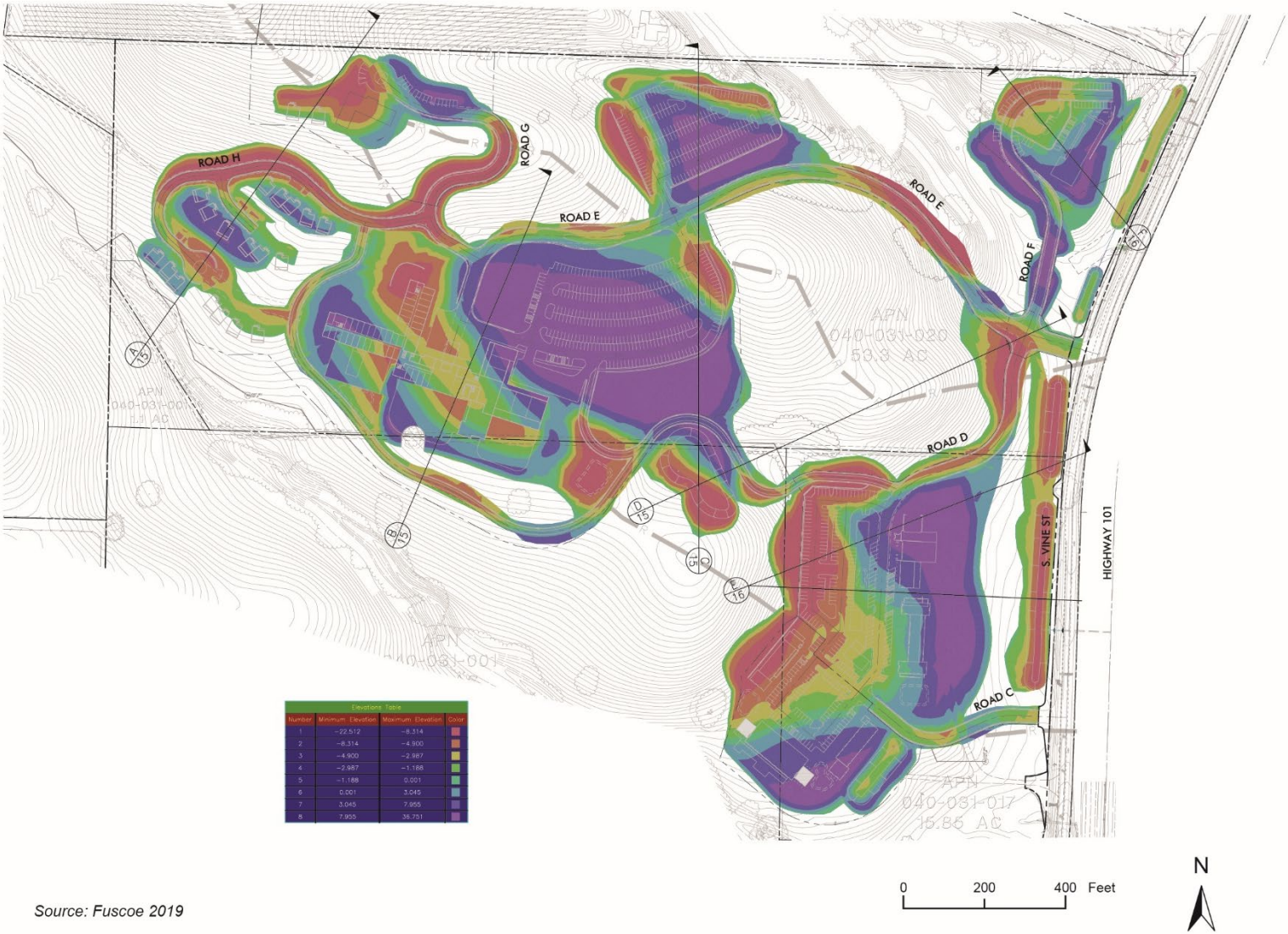
Threshold 2:	Would the Project result in substantial soil erosion or the loss of topsoil?

Impact GEO-2 PORTIONS OF THE PROJECT SITE CONTAIN SOILS THAT ARE MODERATE TO HIGHLY ERODIBLE. ON-SITE DEVELOPMENT MAY INCREASE SOIL EROSION ON THE PROJECT SITE DURING AND AFTER CONSTRUCTION. THIS IMPACT WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

The topographic heat maps and earthwork summaries in the civil plan set for the Project divide the northern and southern portions of the site into two distinct areas: Gateway North and Gateway South, as shown in Figure 4.6-1 and Figure 4.6-2. Refer also to Figures 4.1-6 through 4.1-8 in Section 4.1, *Aesthetics and Visual Resources*, which depict grading cross sections for the Project. Total site disturbance for Gateway North is approximately 42 acres requiring approximately 190,600 cubic yards of cut and 227,600 cubic yards of fill. Total site disturbance for Gateway South is approximately 18 acres requiring approximately 105,180 cubic yards of cut and 62,300 cubic yards of fill. To achieve a net import/export balance of soil, approximately 50,000 cubic yards of material would be retrieved from an on-site borrow area located within the development footprint for Gateway South. According to the Update of Geotechnical Feasibility Report, the Hillside Hotel, Vine Street Vineyard Hotel, and Village Commercial Center components of the Project would involve approximately 32 feet of fill and cuts up to 25 feet in depth. The Promontory Commercial Center component would also involve cuts up to 25 feet in depth, with minimal fill in the building area. The Vine Street Commercial component would involve cut and fill to depths of up to four feet. Grading for the Highway 46 Resort area would involve cut and fill of up to 21 feet in depth. Onsite basins would be constructed with interior and exterior slopes of 4:1 and 2:1, respectively. Where buildings are proposed on existing sloping terrain, techniques such as stepped foundations would be used.

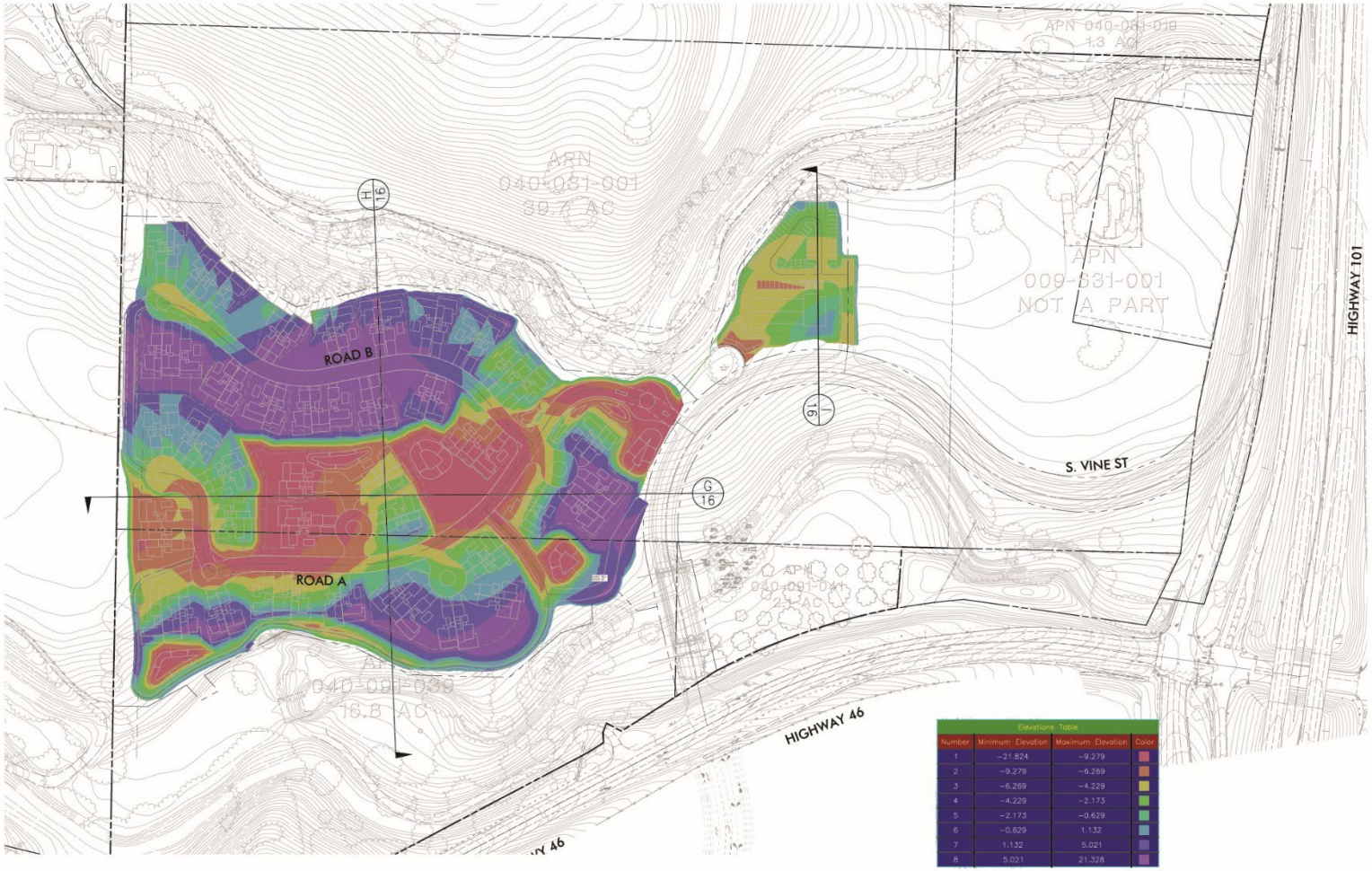
Excavation and grading would expose of ground surfaces throughout the Project site and could result in erosion of soils and sedimentation. During grading and soil storage, there is the potential for soil migration offsite via wind entrainment and/or water erosion. Projects that disturb one or more acres of soil, or projects that are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the Construction General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ). Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation. The Construction General Permit requires preparation of a Stormwater Pollution Prevention Plan (SWPPP), which includes a menu of erosion and sediment control BMPs to be selected and implemented based on the phase of construction and the weather conditions to effectively control erosion and sediment using the Best Available Technology Economically Achievable and Best Conventional Pollutant Control Technology (BAT/BCT).

Figure 4.6-1 Gateway North Topographic Heat Map and Earthwork Summary



Source: Fuscoe 2019

Figure 4.6-2 Gateway South Topographic Heat Map and Earthwork Summary



Source: Fuscoe 2019

0 200 400 Feet

N

Erosion control BMPs are designed to prevent erosion, whereas sediment controls are designed to trap sediment once it has been mobilized. BMPs that may be implemented during construction through the City-issued grading permit and/or SWPPP include the use of geotextiles and mats, temporary drains and swales, silt fences and sediments traps. Erosion control practices may include the use of drainage controls such as down drains, detention ponds, filter berms, or infiltration pits; removal of any sediment tracked offsite within the same day that it is tracked; containment of polluted runoff onsite; use of plastic covering to minimize erosion from exposed areas; and restrictions on the washing of construction equipment.

Compliance with the SWPPP and associated BMPs would reduce potential erosion induced siltation of creeks and other drainages. However, soils on the Project site possess moderate to high erosion potential, particularly on slopes with steeper gradients and along the outside bends of drainage channels, and would require filling. Therefore, mitigation is required to reduce impacts associated with soil erosion and loss of topsoil to less than significant.

Mitigation Measures

Mitigation Measure GEO-2 is required to ensure that fill material is sufficiently compacted to reduce potential for soil erosion and sedimentation into drainages.

GEO-2 Moisture Conditioning & Fill Compaction

The recommendations of the Geotechnical Report, including those pertaining to grading and soils compaction operations shall be incorporated into the project plans and specifications.

Plan Requirements and Timing. To be confirmed by the city prior to issuance of grading permits.

Monitoring. The Geotechnical Engineer shall perform observation and testing as necessary to ensure that grading operations conform the recommendations of the Geotechnical Report to the satisfaction of the City Engineer.

Significance After Mitigation

Implementation of Mitigation Measure GEO-2 and applicable erosion control BMPs in the city-issued grading permit and SWPPP would reduce impacts associated with the short-term exposure of graded soils and potential for soil erosion and sedimentation into drainages resulting from buildout of the Project to a less than significant level.

Threshold 4:	Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Impact GEO-3 EXPANSIVE SOILS ARE PRESENT ON THE PROJECT SITE. DEVELOPMENT ON EXPANSIVE SOILS COULD DAMAGE SLABS AND FOUNDATIONS. THIS IMPACT WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

Expansion index testing of soils on the Project site as part of the geotechnical study indicated low to high expansion potential onsite (Appendix F1). Expansive soils tend to swell with seasonal increases in soil moisture and shrink during the dry season as soil moisture decreases. The volume changes that the soils undergo in this cyclical pattern can stress and damage slabs and foundations, resulting in a potentially significant impact.

Mitigation Measures

Mitigation Measures GEO-1(a) and GEO-1(b) require site-specific geotechnical investigation and reporting, and preparation of an earthwork program for development on the Project site. Mitigation Measure GEO-2 requires that fill material is sufficiently compacted to reduce potential for soil erosion and sedimentation into drainages. Mitigation Measure GEO-3 is also required to ensure all recommendations contained in the Geotechnical Report (Appendix F1) are fully implemented.

GEO-3 Geotechnical Report Measures

The recommendations of the Geotechnical Report, including those intended to reduce impacts from expansive soils, shall be incorporated into the project plans and specifications.

Plan Requirements and Timing. To be confirmed by the city prior to issuance of grading permits.

Monitoring. The Geotechnical Engineer is to perform field observation and testing as necessary to confirm that grading and construction the recommendations of the Geotechnical Report to the satisfaction of the Building Official and the City Engineer.

Significance After Mitigation

Implementation of Mitigation Measure GEO-3 in combination with Mitigation Measures GEO-1(a), GEO-1(b), and GEO-2 would reduce potential impacts due to expansive soils to a less than significant level.

Threshold 6:	Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Impact GEO-4 PALEONTOLOGICAL RESOURCES MAY BE PRESENT IN FOSSIL-BEARING SOILS THAT UNDERLAY THE PROJECT SITE. GROUND-DISTURBING ACTIVITIES COULD DAMAGE RESOURCES THAT MAY BE PRESENT BELOW THE SURFACE. THIS IMPACT WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

As discussed in Section 4.6.1.c, fossils have been found on the Project site, but were not deemed scientifically significant because they were not recovered from their original depositional environment. The Archaeological and Paleontological Resources Assessment concludes that the Project has overall low potential to impact vertebrate fossils. However, due to the presence of Quaternary older alluvium or Paso Robles Formation on the site, paleontological resources may be present in fossil-bearing soils and rock formations below the ground surface. Ground-disturbing activities in fossil-bearing soils and rock formations have the potential to damage or destroy paleontological resources that may be present below the ground surface. Therefore, the project would have a potentially significant impact on paleontological resources.

Mitigation Measures

Mitigation Measures GEO-4(a) and GEO-4(b) are required to minimize potential impacts to paleontological resources below the ground surface.

GEO-4(a) Worker Paleontological Resource Awareness Session

A qualified City-approved consultant selected by the Owner/Applicant shall develop a worker awareness program to educate all workers regarding the protection of any paleontological resources that may be discovered during project development, as well as appropriate procedures to

enact should paleontological resources be discovered. The qualified consultant shall develop appropriate training materials including a summary of geologic units present at the development site, potential paleontological resources that may be encountered during development, and worker attendance sheets to record workers' completions of the awareness session. The worker awareness session for paleontological resources shall occur prior to project development, and as new employees are added to the project site workforce. The qualified consultant shall provide awareness session sign-in sheets documenting employee attendance to the City for review as requested.

Plan Requirements and Timing. The worker awareness program shall be reviewed and approved by city staff prior to grading/building permit issuance. The Owner/Applicant shall provide city staff with the name and contact information for the qualified consultant prior to grading/building permit issuance and pre-construction meeting.

Monitoring. The Owner/Applicant shall demonstrate that the worker awareness program conforms to the required conditions.

GEO-4(b) Paleontological Monitoring and Handling of Resources Inadvertently Discovered During Grading

If unrecorded paleontological resources are uncovered during ground disturbance or construction activities, the Owner/Applicant, under the direction of the qualified consultant identified in Mitigation Measure GEO-4(a) shall:

- Temporarily halt construction or excavation activities within 50 feet of the find and redirect activity to other work areas;
- Immediately notify the City of Paso Robles Community Development and City Engineer Departments regarding the resource and redirected grading activity; and
- Obtain the services of a professional paleontologist who shall assess the significance of the find and provide recommendations as necessary for its proper disposition for review and approval by the City of Paso Robles. All significance assessment and mitigation of impacts to the paleontological resource and verification shall be reviewed by the City of Paso Robles prior to resuming grading in the area of the find. Mitigation may involve preservation in place or documentation and excavation of the resource.

Upon discovery of potentially significant paleontological resources and completion of the above measures, the Owner/Applicant shall submit to city staff a report prepared by the qualified paleontologist documenting all actions taken.

Plan Requirements and Timing. This condition shall be printed on all building and grading plans.

Monitoring. City staff shall confirm monitoring by the qualified consultant.

Significance After Mitigation

Implementation of Mitigation Measures GEO-4(a) and GEO-4(b) would reduce the project's potential impacts to paleontological resources to a less than significant level.

4.6.3 Cumulative Impacts

Planned, proposed, and approved projects in and around the City (refer to Section 3.3, Cumulative Development) would expose additional people and property to seismic and geologic hazards that are present in the region. The magnitude of geologic hazards for individual projects would depend upon the location, type, and size of development and the specific hazards associated with individual sites. Specific geologic hazards associated with individual project sites would be limited to those sites without affecting other areas. Similarly, potential impacts to paleontological resources associated with each individual site would be limited to that site without affecting other areas and impacts to these resources would be mitigated on a case-by-case basis. Compliance with existing regulations, including CBC requirements, City-issued permit requirements, and Construction General Permit requirements, would minimize potential cumulative seismic and geologic impacts. Seismic and geologic hazards would be addressed on a case-by-case basis and would not result in cumulatively considerable impacts. Cumulative geologic hazard impacts would be less than significant, and the project's contribution would not be cumulatively considerable.

4.7 Greenhouse Gas Emissions

This section discusses the Project's potential impacts relating to greenhouse gas emissions. The greenhouse gas emissions modeling output is provided in Appendix C.

4.7.1 Setting

a. Climate Change and Greenhouse Gases

Climate change is the observed increase in the average temperature of the earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period. The term "climate change" is often used interchangeably with the term "global warming," but climate change is preferred because it conveys that other changes are happening in addition to rising temperatures. The baseline against which these changes are measured originates in historical records that identify temperature changes that occurred in the past, such as during previous ice ages. The global climate is changing continuously, as evidenced in the geologic record which indicates repeated episodes of substantial warming and cooling. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe. However, scientists have observed acceleration in the rate of warming over the past 150 years. The United Nations Intergovernmental Panel on Climate Change (IPCC) expressed a high degree of confidence (95 percent or greater chance) that anthropogenic warming and cooling influences on climate indicate the global average net effect of human activities has been the dominant cause of warming since the mid-twentieth century (IPCC 2014).

Gases that absorb and re-emit infrared radiation in the atmosphere are called greenhouse gases (GHG). The gases widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO_2), methane (CH_4), nitrous oxides (N_2O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere, and natural processes, such as oceanic evaporation, largely determine its atmospheric concentrations.

GHGs are emitted by natural processes and human activities. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities. Emissions of CO_2 are usually by-products of fossil fuel combustion, and CH_4 results from off-gassing associated with agricultural practices and landfills. Human-made GHGs, many of which have greater heat-absorption potential than CO_2, include fluorinated gases and SF_6 (United States Environmental Protection Agency [USEPA] 2019). Different types of GHGs have varying global warming potentials (GWP). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO_2) is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as "carbon dioxide equivalent" (CO_2e), and is the amount of GHG emitted multiplied by its GWP. Carbon dioxide

has a 100-year GWP of one. By contrast, methane CH_4 has a GWP of 25, meaning its global warming effect is 25 times greater than carbon dioxide on a molecule per molecule basis (IPCC 2007).[1]

The accumulation of GHGs in the atmosphere regulates the earth's temperature. Without the natural heat-trapping effect of GHGs, the earth's surface would be about 34° Celsius (°C) cooler (California Environmental Protection Agency [CalEPA] 2006). However, emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, are believed to have elevated the concentration of these gases in the atmosphere beyond the level of concentrations that occur naturally.

b. Greenhouse Gas Emissions Inventory

Worldwide anthropogenic emissions of GHGs were approximately 46,000 million metric tons (MMT or gigatonne) CO_2e in 2010 (IPCC 2014). CO_2 emissions from fossil fuel combustion and industrial processes contributed about 65 percent of total emissions in 2010. Of anthropogenic GHGs, carbon dioxide was the most abundant accounting for 76 percent of total 2010 emissions. Methane emissions accounted for 16 percent of the 2010 total, while nitrous oxide and fluorinated gases accounted for six percent and two percent respectively (IPCC 2014).

Federal Emissions Inventory

Total United States (U.S.) GHG emissions were 6,456.7 MMT of CO_2e in 2017 (USEPA 2019). Total U.S. emissions have increased by 1.3 percent since 1990; emissions decreased by 0.5 percent from 2016 to 2017 (USEPA 2019). The decrease from 2016 to 2017 was a result of multiple factors, including (1) a continued shift from coal to natural gas and other non-fossil energy sources in the electric power sector and (2) milder weather in 2017 resulting in overall decreased electricity usage (USEPA 2019). Since 1990, U.S. emissions have increased at an average annual rate of 0.05 percent. In 2017, the industrial and transportation end-use sectors accounted for 30 percent and 29 percent, respectively, of GHG emissions while, the residential and commercial end-use sectors accounted for 15 percent and 16 percent of GHG emissions, respectively, with electricity emissions distributed among the various sectors (USEPA 2019).

California Emissions Inventory

Based on the California Air Resource Board's (CARB) California Greenhouse Gas Inventory for 2000-2017, California produced 424.1 MMT of CO_2e in 2017 (CARB 2019a). The major source of GHGs in California is associated with transportation, contributing 41 percent of the state's total GHG emissions. The industrial sector is the second largest source, contributing 24 percent of the state's GHG emissions, and electric power accounting for approximately 15 percent (CARB 2018). California emissions are due in part to its large size and large population compared to other states. However, a factor that reduces California's per capita fuel use and GHG emissions, as compared to other states, is its relatively mild climate. In 2016, the state of California achieved its 2020 GHG emission reduction targets as emissions fell below 431 MMT of CO_2e (CARB 2019a). The annual 2030 statewide target emissions level is 260 MMT of CO_2e (CARB 2017). With implementation of the 2017

[1] The IPCC's (2014) *Fifth Assessment Report* determined that methane has a GWP of 28. However, modeling of GHG emissions was completed using CalEEMod version 2016.3.2, which uses a GWP of 25 for methane. In addition, the GHG emissions calculations in the Paso Robles Climate Action Plan uses a GWP of 25 for methane. Therefore, to be consistent with the GHG emissions model and the City's Climate Action Plan, this analysis uses a GWP of 25.

Scoping Plan, regulated GHG emissions are projected to decline to 260 MMT of CO_2e per year by 2030.

Local Emissions Inventory

In 2005, the latest year during which the City of Paso Robles Climate Action Plan provides data for citywide emissions, the City of Paso Robles generated approximately 169,557 metric tons (MT) of CO_2e communitywide. The transportation sector was the largest source of emissions, contributing approximately 40 percent of total emissions. The residential and commercial/industrial sectors generated approximately 24 percent and 20 percent of total GHG emissions, respectively (City of Paso Robles 2013). Since 2005, the population of Paso Robles has grown by approximately 15.5 percent from approximately 27,045 to 31,244 residents (United States Census Bureau 2000 and 2010; California Department of Finance 2019). This increase in population is within the forecast 2020 population of 32,127 residents used in the GHG emissions forecast that underlies the city's Climate Action Plan, which demonstrates an overall decrease in GHG emissions by 2020 with implementation of statewide and city-specific emission reduction measures.

c. Potential Effects of Climate Change

Globally, climate change has the potential to affect numerous environmental resources though potential impacts related to future air temperatures and precipitation patterns. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the twenty-first century than were observed during the twentieth century. Each of the past three decades has been warmer than all the previous decades in the instrumental record, and the decade from 2000 through 2010 has been the warmest. The observed global mean surface temperature (GMST) for the decade between 2006 to 2015 was approximately 0.87°C (0.75°C to 0.99°C) higher than the average GMST over the period from 1850 to 1900. Furthermore, several independently analyzed data records of global and regional Land-Surface Air Temperature (LSAT) obtained from station observations jointly indicate that LSAT and sea surface temperatures have increased. Due to past and current activities, anthropogenic GHG emissions are increasing global mean surface temperature at a rate of 0.2°C per decade. In addition to these findings, there are identifiable signs that global warming is currently taking place, including substantial ice loss in the Arctic over the past two decades (IPCC 2014, IPCC 2018).

According to *California's Fourth Climate Change Assessment*, statewide temperatures from 1986 to 2016 were approximately 0.6 to 1.1°C higher than those recorded from 1901 to 1960. Potential impacts of climate change in California may include reduced water supply from snow pack, sea level rise, more extreme heat days per year, more large forest fires, and more drought years (State of California 2018). While there is growing scientific consensus about the possible effects of climate change at a global and statewide level, current scientific modeling tools are unable to predict what local impacts may occur with a similar degree of accuracy. In addition to statewide projections, *California's Fourth Climate Change Assessment* includes regional reports that summarize climate impacts and adaptation solutions for nine regions of the state and regionally-specific climate change case studies (State of California 2018). A summary follows of some of the potential effects that could be experienced in California as a result of climate change.

Air Quality

Higher temperatures are conducive to air pollution formation and could worsen air quality in California as they rise. Climate change may increase the concentration of ground-level ozone, but

the magnitude of the effect, and therefore its indirect effects, are uncertain. As temperatures have increased in recent years, the area burned by wildfires throughout the state has increased, and wildfires have occurred at higher elevations in the Sierra Nevada (State of California 2018). If higher temperatures continue to be accompanied by an increase in the incidence and extent of large wildfires, air quality would worsen, but if higher temperatures are accompanied by wetter, rather than drier conditions, the rains would tend to temporarily clear the air of particulate pollution. This would effectively reduce the number of large wildfires, thereby ameliorating the pollution associated with them. Severe heat accompanied by drier conditions and poor air quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the state (California Natural Resources Agency 2009).

Water Supply

Analysis of paleoclimatic data (such as tree-ring reconstructions of stream flow and precipitation) indicates a history of naturally and widely varying hydrologic conditions in California and the west, including a pattern of recurring and extended droughts. Uncertainty remains with respect to the overall impact of climate change on future precipitation trends and water supplies in California. For example, many southern California cities have experienced their lowest recorded annual precipitation twice within the past decade, but in a span of only two years, Los Angeles experienced both its driest and wettest years on record (California Department of Water Resources 2008). This uncertainty regarding future precipitation trends complicates the analysis of future water demand, especially where the relationship between climate change and its potential effect on water demand is not well understood. The average early spring snowpack in the western U.S., including the Sierra Nevada, decreased by about 10 percent during the last century. During the same period, sea level rose over 0.15 meter along the central and southern California coasts (State of California 2018). The Sierra snowpack provides the majority of California's water supply, as snow that accumulates during wet winters is released slowly during the dry months of spring and summer. A warmer climate is predicted to reduce the fraction of precipitation that falls as snow and result in less snowfall at lower elevations, thereby reducing the total snowpack (California Department of Water Resources 2008; State of California 2018). The State of California projects that average spring snowpack in the Sierra Nevada and other mountain catchments in central and northern California will decline by approximately 66 percent from its historical average by 2050 (State of California 2018).

Hydrology and Sea Level Rise

Climate change could affect the amount of snowfall, rainfall, and snow pack, and it could affect the intensity and frequency of storms and flooding (flash floods, rain or snow events, coincidental high tide and high runoff events) (State of California 2018). Furthermore, climate change could induce substantial sea level rise in the coming century. Rising sea level increases the likelihood of and risk from flooding. The rate of increase of global mean sea levels over the 2001-2010 decade, observed by satellites, ocean buoys, and land gauges, was approximately 3.2 millimeters per year, double the twentieth century trend of 1.6 millimeters per year. Global mean sea levels averaged over the last decade were about 0.20 meter higher than those of 1880 (World Meteorological Organization 2013). Sea levels are rising faster now than in the previous two millennia, and the rise will probably accelerate, even with robust GHG emission control measures. The most recent IPCC report predicts a mean sea–level rise of 0.25 to 0.94 meters by 2100 (IPCC 2018). A rise in sea levels could erode 31 to 67 percent of southern California beaches, flooding approximately 370 miles of coastal highways during 100-year storm events. This would also jeopardize California’s water supply due to salt water intrusion and induce groundwater flooding and/or exposure of buried infrastructure (State of

California 2018). Increased storm intensity and frequency could affect the ability of flood-control facilities, including levees, to handle storm events.

Agriculture

California has a $50 billion annual agricultural industry that produces over a third of the country's vegetables and two-thirds of the country's fruits and nuts (California Department of Food and Agriculture 2018). Higher CO_2 levels can stimulate plant production and increase plant water-use efficiency, but if temperatures rise and drier conditions prevail, certain regions of agricultural production could experience water shortages of up to 16 percent. This would increase water demand as hotter conditions lead to the loss of soil moisture; crop-yield could be threatened by water-induced stress and extreme heat waves; and plants may be susceptible to new and changing pest and disease outbreaks (State of California 2018). Temperature increases could change the time of year certain crops, such as wine grapes, bloom or ripen, and thereby affect their quality (California Climate Change Center 2006).

Ecosystems and Wildlife

Climate change and the potential resulting changes in weather patterns could have ecological effects on the global and local scales. Increasing concentrations of GHGs are likely to accelerate the rate of climate change. Scientists project that the annual average maximum daily temperatures in California could rise by 2.4 to 3.2°C in the next 50 years and by 3.1 to 4.9°C in the next century (State of California 2018). Soil moisture is likely to decline in many regions, and intense rainstorms are likely to become more frequent. Rising temperatures could have four major impacts on plants and animals: timing of ecological events; geographic distribution and range of species; species composition and the incidence of nonnative species within communities; and ecosystem processes, such as carbon cycling and storage (Parmesan 2006; State of California 2018).

d. Regulatory Setting

Federal Regulations

The U.S. Supreme Court determined in Massachusetts et al. v. Environmental Protection Agency et al. ([2007] 549 U.S. 05-1120) that the USEPA has the authority to regulate motor-vehicle GHG emissions under the federal Clean Air Act. The USEPA issued a Final Rule for mandatory reporting of GHG emissions in October 2009. This Final Rule applies to fossil fuel suppliers, industrial gas suppliers, direct GHG emitters, and manufacturers of heavy-duty and off-road vehicles and vehicle engines and requires annual reporting of emissions. In 2012, the USEPA issued a Final Rule that established the GHG permitting thresholds that determine when Clean Air Act permits under the New Source Review Prevention of Significant Deterioration (PSD) and Title V Operating Permit programs are required for new and existing industrial facilities.

In Utility Air Regulatory Group v. Environmental Protection Agency (134 S. Ct. 2427 [2014]), the U.S. Supreme Court held USEPA may not treat GHGs as an air pollutant for purposes of determining whether a source can be considered a major source and be required to obtain a PSD or Title V permit. The Court also held that PSD permits otherwise required based on emissions of other pollutants, may continue to require limitations on GHG emissions based on the application of Best Available Control Technology.

California Regulations

CARB is responsible for the coordination and oversight of state and local air pollution control programs in California. There are numerous regulations aimed at reducing the state's GHG emissions. These initiatives are summarized below.

California Advanced Clean Cars Program

Assembly Bill (AB) 1493 (2002), California's Advanced Clean Cars program (referred to as "Pavley"), requires CARB to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles." On June 30, 2009, USEPA granted the waiver of Clean Air Act preemption to California for its GHG emission standards for motor vehicles, beginning with the 2009 model year, which allows California to implement more stringent vehicle emission standards than those promulgated by the USEPA. Pavley I regulates model years from 2009 to 2016 and Pavley II, now referred to as "LEV (Low Emission Vehicle) III GHG," regulates model years from 2017 to 2025. The Advanced Clean Cars program coordinates the goals of the LEV, Zero Emissions Vehicles (ZEV), and Clean Fuels Outlet programs, and would provide major reductions in GHG emissions. By 2025, the rules will be fully implemented, and new automobiles will emit 34 percent fewer GHGs and 75 percent fewer smog-forming emissions from their model year 2016 levels (CARB 2011).

California Global Warming Solutions Act of 2006 (Assembly Bill 32 and Senate Bill 32)

The "California Global Warming Solutions Act of 2006," AB 32, outlines California's major initiative for reducing GHG emissions; it was signed into law in 2006. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 and requires CARB to prepare a Scoping Plan that outlines the main state strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. Based on this guidance, CARB approved a 1990 statewide GHG level and 2020 limit of 427 MMT CO_2e. CARB approved the Scoping Plan on December 11, 2008 and the Plan included measures to address GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among others. Many of the GHG reduction measures included in the Scoping Plan (e.g., Low Carbon Fuel Standard, Advanced Clean Car standards, and Cap-and-Trade) have been adopted since the Plan's approval.

CARB approved the 2013 Scoping Plan update in May 2014. The update defined CARB's climate change priorities for the next five years and set the groundwork to reach post-2020 statewide goals. The update highlighted California's progress toward meeting the "near-term" 2020 GHG emission reduction goals defined in the original Scoping Plan. It also evaluated how to align the State's longer term GHG reduction strategies with other state policy priorities, including those for water, waste, natural resources, clean energy, transportation, and land use (CARB 2014).

On September 8, 2016, the governor signed Senate Bill (SB) 32 into law, extending the California Global Warming Solutions Act of 2006 by requiring the state to further reduce GHGs to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). On December 14, 2017, CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. The 2017 Scoping Plan relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program, and implementation of recently adopted policies and policies, such as SB 350 and SB 1383 (see below). The 2017 Scoping Plan also puts an increased emphasis on innovation, adoption of existing technology, and strategic investment to support its strategies. As with the 2013 Scoping Plan Update, the 2017 Scoping Plan does not provide project-

level thresholds for land use development. Instead, it recommends that local governments adopt policies and locally appropriate quantitative thresholds consistent with statewide per capita goals of six MT CO_2e by 2030 and two MT CO_2e by 2050 (CARB 2017). As stated in the 2017 Scoping Plan, these goals may be appropriate for plan-level analyses (city, county, sub-regional, or regional level), but not for specific individual projects because they include all emissions sectors in the state (CARB 2017).

Senate Bill 97

SB 97, signed in August 2007, acknowledges that climate change is an environmental issue that requires analysis in California Environmental Quality Act (CEQA) documents. In March 2010, the California Natural Resources Agency (Resources Agency) adopted amendments to the State CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted guidelines give lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHG and climate change impacts.

Senate Bill 375

SB 375, signed in August 2008, enhances the state's ability to reach AB 32 goals by directing CARB to develop regional GHG emission reduction targets to be achieved from passenger vehicles by 2020 and 2035. SB 375 aligns regional transportation planning efforts, regional GHG reduction targets, and affordable housing allocations. Metropolitan Planning Organizations (MPOs) are required to adopt a Sustainable Communities Strategy (SCS), which allocates land uses in the MPO's Regional Transportation Plan (RTP). Qualified projects consistent with an approved SCS or Alternative Planning Strategy categorized as "transit priority projects" would receive incentives to streamline CEQA processing

On March 22, 2018, CARB adopted updated regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. The San Luis Obispo Council of Governments (SLOCOG) was assigned targets of a three percent reduction in GHGs from transportation sources by 2020 and an 11 percent reduction in GHGs from transportation sources by 2035. SLOCOG adopted the 2019 Regional Transportation Plan (RTP) in June 2019, which includes the region's SCS and meets the requirements of SB 375 (SLOCOG 2019).

Senate Bill 1383

Adopted in September 2016, SB 1383 requires CARB to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants. The bill requires the strategy to achieve the following reduction targets by 2030:

- Methane – 40 percent below 2013 levels
- Hydrofluorocarbons – 40 percent below 2013 levels
- Anthropogenic black carbon – 50 percent below 2013 levels

The bill also requires the California Department of Resources Recycling and Recovery (CalRecycle), in consultation with the CARB, to adopt regulations that achieve specified targets for reducing organic waste in landfills.

Senate Bill 100

Adopted on September 10, 2018, SB 100 supports the reduction of GHG emissions from the electricity sector by accelerating the state's Renewables Portfolio Standard Program, which was last updated by SB 350 in 2015. SB 100 requires electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

Executive Order B-55-18

On September 10, 2018, the governor issued Executive Order (EO) B-55-18, which established a new statewide goal of achieving carbon neutrality by 2045 and maintaining net negative emissions thereafter. This goal is in addition to the existing statewide GHG reduction targets established by SB 375, SB 32, SB 1383, and SB 100.

California Building Standards Code

CALIFORNIA CODE OF REGULATIONS, TITLE 24 – CALIFORNIA BUILDING CODE

The California Code of Regulations (CCR), Title 24, is referred to as the California Building Code, or CBC. It consists of a compilation of several distinct standards and codes related to building construction including plumbing, electrical, interior acoustics, energy efficiency, and handicap accessibility for persons with physical and sensory disabilities. The CBC's energy-efficiency and green building standards are outlined below.

PART 6 – BUILDING ENERGY EFFICIENCY STANDARDS/ENERGY CODE

CCR, Title 24, Part 6 is the Building Energy Efficiency Standards or California Energy Code. This code, originally enacted in 1978, establishes energy-efficiency standards for residential and non-residential buildings in order to reduce California's energy demand. The Energy Code is updated periodically to incorporate and consider new energy-efficiency technologies and methodologies as they become available. New construction and major renovations must demonstrate their compliance with the current Energy Code through submission and approval of a Title 24 Compliance Report to the local building permit review authority and the California Energy Commission (CEC).

The 2019 Title 24 standards are the applicable building energy efficiency standards for the project because they will become effective on January 1, 2020. In general, under the 2019 Standards, nonresidential buildings will be 30 percent more energy-efficient compared to the 2016 Standards, and single-family homes will be seven percent more energy-efficient (CEC 2018). In addition, the 2019 Standards require installation of solar photovoltaic systems for single-family homes and multi-family buildings of three stories or fewer. When accounting for the electricity generated by the solar photovoltaic system, single-family homes would use approximately 50 percent less energy compared to homes built to the 2016 standards (CEC 2018). In addition, per Section 110.10, residential and non-residential buildings must incorporate the following solar zone areas (see the 2019 Standards for exceptions):

- Minimum area of 250 square feet for single-family residences located in subdivisions with ten or more single-family residences that do not have a photovoltaic system installed
- Minimum area of 15 percent of the total roof area excluding any skylight area for low-rise multi-family buildings that do not have a photovoltaic system installed, high-rise multi-family buildings and hotel/motel occupancies with ten habitable stories or fewer, and

nonresidential buildings with three habitable stories or fewer (other than healthcare facilities)

Solar zones must be comprised of areas that have no dimension less than five feet and are no less than 80 square feet each for buildings with roof areas less than or equal to 10,000 square feet or no less than 160 square feet each for buildings with roof areas greater than 10,000 square feet. See the 2019 Standards for additional requirements regarding the azimuth, shading, interconnection pathways, and electrical service panels of solar zones.

PART 11 – CALIFORNIA GREEN BUILDING STANDARDS

The California Green Building Standards Code, referred to as CALGreen, was added to Title 24 as Part 11, first in 2009 as a voluntary code, which then became mandatory effective January 1, 2011 (as part of the 2010 CBC). The 2016 CALGreen institutes mandatory minimum environmental performance standards for all ground-up new construction of non-residential and residential structures. It also includes voluntary tiers (I and II) with stricter environmental performance standards for these same categories of residential and non-residential buildings. Local jurisdictions must enforce the minimum mandatory Green Building Standards and may adopt additional amendments for stricter requirements.

The mandatory standards require:

- 20 percent reduction in indoor water use relative to specified baseline levels;
- 50 percent construction/demolition waste diverted from landfills;
- Inspections of energy systems to ensure optimal working efficiency;
- Low-pollutant emitting exterior and interior finish materials such as paints, carpets, vinyl flooring, and particleboards;
- Dedicated circuitry to facilitate installation of electric vehicle charging stations in newly constructed attached garages for single-family and duplex dwellings; and
- Installation of electric vehicle charging stations in at least three percent of the parking spaces for all new multi-family developments with 17 or more units.

The voluntary standards require:

- **Tier I.** 15 percent improvement in energy requirements, stricter water conservation requirements for specific fixtures, 65 percent reduction in construction waste, 10 percent recycled content, 20 percent permeable paving, 20 percent cement reduction, cool/solar reflective roof; and
- **Tier II.** 30 percent improvement in energy requirements, stricter water conservation requirements for specific fixtures, 75 percent reduction in construction waste, 15 percent recycled content, 30 percent permeable paving, and 30 percent cement reduction, cool/solar reflective roof.

Similar to the compliance reporting procedure for demonstrating Energy Code compliance in new buildings and major renovations, compliance with the CALGreen water-reduction requirements must be demonstrated through completion of water use reporting forms for new low-rise residential and non-residential buildings. Buildings must demonstrate a 20 percent reduction in indoor water use by either showing a 20 percent reduction in the overall baseline water use as identified in CALGreen or a reduced per-plumbing-fixture water use rate.

California Integrated Waste Management Act (Assembly Bill 341)

The California Integrated Waste Management Act of 1989, as modified by AB 341 in 2011, requires each jurisdiction's source reduction and recycling element to include an implementation schedule that shows: (1) diversion of 25 percent of all solid waste by January 1, 1995, through source reduction, recycling, and composting activities; (2) diversion of 50 percent of all solid waste on and after January 1, 2000; and (3) diversion of 75 percent of all solid waste by 2020, and annually thereafter. CalRecycle is required to develop strategies, including source reduction.

California Environmental Quality Act

Pursuant to the requirements of SB 97, the Resources Agency has adopted amendments to the *State CEQA Guidelines* for determining the effects and feasible mitigation of GHG emissions of GHG emissions. The adopted CEQA Guidelines provide general regulatory guidance on the analysis and mitigation of GHG emissions in CEQA documents, while giving lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts. To date, a variety of air districts, including the San Luis Obispo Air Pollution Control District (SLOAPCD), have adopted quantitative significance thresholds for GHGs.

For more information on the Senate and Assembly bills, executive orders, and reports discussed above, and to view reports and research referenced above, please refer to the following websites: www.climatechange.ca.gov and www.arb.ca.gov/cc/cc.htm.

RELEVANT CASE LAW

Center for Biological Diversity v. California Department of Fish and Wildlife (Case No. 217763)

The California Supreme Court's decision in the Center for *Biological Diversity v. California Department of Fish and Wildlife* was published on November 30, 2015; it evaluated the methodology used to analyze GHG emissions in an EIR prepared for the Newhall Ranch development project that included approximately 20,885 dwelling units with 58,000 residents on 12,000 acres of undeveloped land in Los Angeles County. The EIR used a business-as-usual (BAU) approach to evaluate whether the project would be consistent with the AB 32 Scoping Plan. The Court found there was insufficient evidence in the record of that project to explain how a project that reduces its GHG emissions by the same percentage as the BAU reduction identified for the State to meet its statewide targets supported a conclusion that the project impacts were below a level of significance.

The California Supreme Court suggested regulatory consistency as a pathway to compliance, by stating that a lead agency might assess consistency with the State's GHG reduction goals by evaluating for compliance with regulations designed to reduce GHG emissions. This approach is consistent with CEQA Guidelines Section 15064.4(b), which provides that a determination of an impact is not cumulatively considerable to the extent to which the project complies with regulations or requirements implementing a statewide, regional, or local plan to reduce or mitigate GHG emissions. The Court also found that a lead agency may rely on numerical and efficiency-based thresholds of significance for GHG emissions, if supported by substantial evidence.

Golden Door Properties, LLC v. County of San Diego/Sierra Club, LLC v. County of San Diego (Case No. 072406)

The Fourth District Court of Appeal decision published on September 28, 2018, in the *Golden Door Properties, LLC v. County of San Diego* evaluated the County of San Diego's 2016 Guidance Document's GHG efficiency metric which establishes a generally applicable threshold of significance for proposed projects. The Court held that the County of San Diego is barred from using its 2016 climate change analysis guidance document's threshold of significance for GHG analysis of 4.9 MT of CO2e per service population per year. The Court stated that the document violated CEQA because it was not adopted formally by ordinance, rule, resolution, or regulation through a public review process per State CEQA Guidelines Section 15064.4(b)(3). The Court also found that the threshold was not supported by substantial evidence that adequately explained how a service population threshold derived from statewide data could constitute an appropriate GHG metric to be used for all projects in unincorporated San Diego County. Nevertheless, lead agencies may make project-specific GHG threshold determinations.

Local Regulations

SLOCOG 2019 RTP

SLOCOG is the federally-designated MPO and a regional planning agency for San Luis Obispo County. SLOCOG addresses regional issues relating to transportation, the economy, community development and the environment, and produces the region's RTP and SCS, which address regional development and growth forecasts. The 2019 RTP provides the following seven goals aimed at integrated land use and transportation planning, which are accompanied by specific policy objectives (SLOCOG 2019):

1. Preserve the transportation system.
2. Improve intermodal mobility and accessibility for all people.
3. Support a vibrant economy.
4. Improve public safety and security.
5. Foster livable, healthy communities and promote social equity.
6. Practice environmental stewardship.
7. Practice financial stewardship.

City of Paso Robles Climate Action Plan

In November 2013, the City of Paso Robles adopted its Climate Action Plan for reducing GHG emissions. The Climate Action Plan is a strategic document, prepared pursuant to AB 32. The Climate Action Plan outlines the city's approach to achieving its GHG reduction target of 15 percent below 2005 levels by 2020 and is a qualified GHG reduction plan consistent with State CEQA Guidelines Section 15183.5 through year 2020. The city's Climate Action Plan allows the city to streamline the CEQA review process of certain development projects with buildout years through 2020. The Climate Action Plan includes the following elements (City of Paso Robles 2013):

- Summary of the results of the City of Paso Robles 2005 Greenhouse Gas Emissions Inventory Update, which identifies the major sources and quantities of GHG emissions produced within Paso Robles and forecasts how these emissions may change over time.

- Identification of the quantity of GHG emissions that Paso Robles will need to reduce to meet the state-recommended target of 15 percent below 2005 levels by the year 2020.
- Establishment of city government and community-wide GHG reduction measures, including performance standards, which if implemented, would collectively achieve the specified emission reduction target.
- Identification of proactive strategies that can be implemented to help Paso Robles prepare for anticipated climate change impacts.
- Establishment of the procedures to implement, monitor, and verify the effectiveness of the Climate Action Plan measures and adapt efforts moving forward as necessary.

4.7.2 Impact Analysis

a. Methodology and Significance Thresholds

Methodology

Calculations of CO_2, CH_4, and N_2O emissions are provided to identify the magnitude of potential project effects. The analysis focuses on CO_2, CH_4, and N_2O because these make up 98 percent of all GHG emissions by volume and are the GHGs the project would emit in the largest quantities (IPCC 2014). Fluorinated gases, such as HFCs, PFCs, and SF_6, were also considered for the analysis. However, because the Project is a mixed-use resort residential, commercial, and hotel development, the quantity of fluorinated gases would not be significant because fluorinated gases are primarily associated with industrial processes. Emissions of all GHGs are converted into their equivalent GWP in terms of CO_2 (CO_2e). Minimal amounts of other GHGs (such as chlorofluorocarbons [CFCs]) would be emitted; however, these other GHG emissions would not substantially add to the total calculated CO_2e amounts.

GHG emissions from construction and operation of the Project were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 based on Project-specific information. The land use types, square footages, and acreage were based on information contained in Section 2, Project Description, and in the Revised Traffic and Circulation Study (Traffic Study) prepared for the Project by Associated Transportation Engineers in June 2019 (Appendix H). Construction emissions were modeled using the default construction schedule and construction equipment list provided in CalEEMod. All soil material would be balance on site; therefore, no soil export or import would be required.

Electricity would be supplied by PG&E; therefore, PG&E's specific energy intensity factors (i.e., the amount of CO_2, CH_4, and N_2O per kilowatt-hour) are used in the calculations of GHG emissions. Per SB 100, the statewide Renewable Portfolio Standard (RPS) Program requires electricity providers to increase procurement from eligible renewable energy sources to 60 percent by 2030. However, the default energy intensity factors included in CalEEMod for PG&E are based on 2009 data at which time PG&E had only achieved a 14.1 percent procurement of renewable energy. To account for the continuing effects of the RPS, the energy intensity factors included in CalEEMod were reduced based on the mandated SB 100 target for 2030. PG&E energy intensity factors that include this reduction are shown in Table 4.7-1.

Table 4.7-1 PG&E Energy Intensity Factors

	2009 (lbs/MWh)[1]	2030 (lbs/MWh)[2]
Percent procurement	14.1%	60%
Carbon dioxide (CO_2)	641.35	298.65
Methane (CH_4)	0.029	0.014
Nitrous oxide (N_2O)	0.006	0.003

[1] Source: California Public Utilities Commission (CPUC). 2011. Renewables Portfolio Standard Quarterly Report. 1st Quarter 2011. http://www.cpuc.ca.gov/WorkArea/DownloadAsset.aspx?id=5858 (accessed February 2020).

[2] RPS goal established by SB 100

Trip generation rates for the proposed land uses were derived from the Traffic Study. See CalEEMod results in Appendix C. Procedures and guidance regarding the evaluation of GHG emissions impacts associated with land development projects are provided by SLOAPCD's *CEQA Air Quality Handbook* (2012a), *Greenhouse Gas Thresholds and Supporting Evidence* guidance document (2012b), and the Clarification Memorandum (2017).

Significance Thresholds

Based on Appendix G of the *State CEQA Guidelines*, impacts related to GHG emissions from the Project would be significant if the Project would:

1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and/or
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The vast majority of individual projects do not generate sufficient GHG emissions to directly influence climate change. However, physical changes caused by a project can contribute incrementally to cumulative effects that are significant, even if individual changes resulting from a project are limited. The issue of climate change typically involves an analysis of whether a project's contribution towards an impact would be cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines, Section 15064[h][1]).

In late 2015, the California Supreme Court's Newhall Ranch decision confirmed that there are multiple potential pathways for evaluating GHG emissions consistent with CEQA, depending on the circumstances of a given project (Center for Biological Diversity v. Department of Fish and Wildlife (2015) 62 Cal. 4th 204). The decision also identified the need to analyze both near term and post-2020 emissions, as applicable, stating that an "EIR taking a goal-consistency approach to CEQA significance may in the near future need to consider the project's effects on meeting longer term emissions reduction targets." While not legally binding on local land use agencies, SB 32 extends the statewide AB 32 reduction goal, requiring the state to further reduce GHGs to 40 percent below 1990 levels by 2030, and EO B-55-18 has set forth a long-term reduction target to achieve statewide carbon neutrality by the year 2045.

In March 2012, SLOAPCD adopted CEQA thresholds for GHG emissions. Based on the adopted SLOAPCD guidance, the following three quantitative thresholds may be used to evaluate the level of significance of GHG emissions impacts for land use projects:

1. **Qualified GHG Reductions Strategies.** A project would have a significant impact if it is not consistent with a qualified GHG reduction strategy that meets the requirements of the State CEQA Guidelines. If a project is consistent with a qualified GHG reduction strategy, it would not have a significant impact; OR,
2. **Bright-Line Threshold**. A project would have a significant impact if it exceeds the "bright-line threshold" of 1,150 MT of CO_2e per year; OR,
3. **Efficiency Threshold.** A project would have a significant impact if the efficiency threshold exceeds 4.9 MT of CO_2e per service person per year. The service population is defined as the number of residents plus employees for a given project.

As discussed in Section 4.8.1(d), *Regulatory Setting*, the City of Paso Robles Climate Action Plan is a qualified GHG reduction plan consistent with *State CEQA Guidelines* Section 15183.5 through year 2020. However, the proposed Project has a buildout year of 2024; therefore, this analysis does not rely on consistency with the city's Climate Action Plan strategies to evaluate the significance of the project's GHG emissions. The SLOAPCD bright-line and efficiency thresholds were based on achieving the 2020 GHG reduction targets established by AB 32 and do not account for the more stringent 2030 GHG emissions reduction target set forth by SB 32. Therefore, the SLOAPCD bright-line and efficiency thresholds are not appropriate for evaluating the Project's GHG emissions because the Project would be completed in year 2024. As a result, in accordance with *State CEQA Guidelines* Section 15064.4(b)(2), this analysis develops a project-specific, locally-appropriate efficiency threshold to determine the significance of the Project's GHG emissions. Efficiency thresholds are quantitative thresholds based on a measurement of GHG efficiency for a given project, regardless of the amount of mass emissions. These thresholds identify the emission level below which new development would not interfere with attainment of statewide GHG reduction targets. A project that attains such an efficiency target would result in less than significant GHG emissions. A locally-appropriate 2030 project-specific threshold is derived from CARB's recommendations in the 2017 Climate Change Scoping Plan, as discussed below.

With the release of the 2017 Climate Change Scoping Plan, CARB recognized the need to balance population growth with emissions reductions and in doing so, provided a new local plan-level methodology for target setting that provides consistency with state GHG reduction goals using per capita efficiency thresholds. A project-specific efficiency threshold can be calculated by dividing statewide GHG emissions by the sum of statewide jobs and residents. However, not all statewide emission sources would be impacted by the Project (e.g., agriculture and industrial). Accordingly, consistent with the concerns raised in the Golden Door (2018) and Newhall Ranch (2015) decisions regarding the correlation between state and local conditions, the 2030 statewide inventory target was modified with substantial evidence provided to establish a locally-appropriate, evidence-based, project-specific threshold consistent with the SB 32 target.

To develop this threshold, the Project area was first evaluated to determine emissions sectors that are present and would be directly affected by potential land use changes. A description of major sources of emissions that are included in the State Scoping Plan emissions sectors and representative sources in the Project area can be found in Table 4.7-2. Industrial (i.e., oil, gas, and hydrogen production; refineries; general fuel use; and mining operations) and Agricultural (i.e., Enteric fermentation, crop residue burning, and manure management) sector source emissions

would not be directly impacted by the proposed land uses. Therefore, these emissions sectors were removed from the State 2030 emissions forecast to retain a more conservative locally-appropriate target. Additionally, Cap and Trade emissions reductions occur independent of any local jurisdictional land use decisions and were also excluded from the locally-appropriate target. After removing Agricultural, Industrial, and Cap and Trade emissions, the remaining emissions sectors with sources within the planning area were then summed to create a locally-appropriate emissions total for a mixed-use project in the City of Paso Robles for the year 2030 (next milestone GHG target year per the 2017 Scoping Plan). This locally-appropriate emissions total is divided by the statewide 2030 service person population to determine a locally-appropriate, project-level threshold of 3.3 MT of CO_2e per service population that is consistent with SB 32 targets, as shown in Table 4.7-2 and Table 4.7-3.

Table 4.7-2 SB 32 Scoping Plan Emissions Sector Targets

GHG Emissions Sector[1]	2030 State Emissions Target (MMT)[1]	Locally Appropriate[2]	Project Specific	Major Sources[3]
Residential and Commercial	38	Yes	Yes	Natural gas end uses, including space and water heating of buildings
Electric Power	53	Yes	Yes	Electricity uses, including lighting, appliances, machinery and heating
High GWP	11	Yes	Yes	SF_6 from power stations, HFCs from refrigerants and air conditioning[4]
Recycling and Waste	8	Yes	Yes	Waste generated by residential, commercial, and other facilities
Transportation	103	Yes	Yes	Passenger, heavy duty, and other vehicle emissions
Industrial	83	No	No	Oil, gas, and hydrogen production, refineries, general fuel use, and mining operations do not occur substantially within the project area.
Agriculture	24	No	No	Enteric fermentation, crop residue burning, and manure management do not occur substantially within the project area.
Cap and Trade Reductions	-60	No	No	Reductions from facilities emitting more than 10,000 MT CO_2e per year[6]
Scoping Plan Target (All Sectors)	260	No	No	All emissions sectors
Locally Inapplicable Sector (Industrial)	-83	No	No	Oil, gas, and hydrogen production, refineries, general fuel use, and mining operations[5]
Locally Inapplicable Sector (Agriculture)	-24	No	No	Enteric fermentation, crop residue burning, and manure management
Locally Inapplicable Sector (Cap and Trade)	60	No	No	Reductions from facilities emitting more than 10,000 MT CO_2e per year[6]
2030 Locally Applicable Emissions Sectors	213	Yes	Yes	Emissions applicable to the local planning area

MMT = million metric tons

[1] All State targets in MMT CO_2e. See the 2017 Climate Change Scoping Plan, page 31 for sector details (CARB 2017).

GHG Emissions Sector[1]	2030 State Emissions Target (MMT)[1]	Locally Appropriate[2]	Project Specific	Major Sources[3]

[2] Locally-appropriate is defined as having significant emissions in Scoping Plan Categorization categories within the planning area.

[3] See CARB GHG Emissions Inventory Scoping Plan Categorization for details, available at: https://www.arb.ca.gov/cc/inventory/data/data.htm

[4] SF_6 is used primarily as an insulator in electrical substations while HFCs can be found in many residential and commercial refrigeration and air conditioning units. HFCs are in the process of being phased out through 2036 in most developed countries.

[5] The majority of this sector is not applicable to the local planning area, and any potential applicable subsectors cannot be disaggregated due to CARB accounting methods. Therefore, the entire sector has been removed to ensure a more conservative target.

[6] Cap and Trade is excluded as reductions will occur independent of local project land use decisions and are therefore not locally appropriate.

Table 4.7-3 SB 32 Locally-Appropriate Project-Specific Threshold

Topic	Metric	2030
Projected Statewide Service Population	California Population (persons)[1]	43,939,250
	California Employment Projection (persons)[2]	20,795,940
	Service Population (persons)	64,735,190
Locally-Appropriate Project Thresholds	Locally-Appropriate Emissions Sectors (MT of CO_2e)[3]	213,000,000
	Service Population (persons)	64,735,190
	Service Person Target (MT of CO_2e per service person per year)	3.3

[1] California Department of Finance 2019

[2] California Employment Development Department. Employment Projections Labor Market Information Resources and Data, "CA Long-Term. 2016-2026 Statewide Employment Projections". Year 2030 employment data was projected based on the average annual increase for years 2016 through 2026.

[3] Based on ARB 2017 Climate Scoping Plan Update/SB 32 Scoping Plan Emissions Sector targets

At this time, the state has codified a target of reducing emissions to 40 percent below 1990 emissions levels by 2030 (SB 32) and has developed the 2017 Scoping Plan to demonstrate how the State will achieve the 2030 target and make substantial progress toward the 2050 goal of an 80 percent reduction in 1990 GHG emission levels set by EO S-3-05. In the recently signed EO B-55-18, which identifies a new goal of carbon neutrality by 2045 and supersedes the goal established by EO S-3-05, CARB has been tasked with including a pathway toward the EO B-55-18 carbon neutrality goal in the next Scoping Plan update. While state and regional regulators of energy and transportation systems, along with the state's Cap and Trade program, are designed to be set at limits to achieve most of the reductions needed to hit the State's long-term targets, local governments can do their fair share toward meeting the State's targets by siting and approving projects that accommodate planned population growth and projects that are GHG-efficient. The Association of Environmental Professionals (AEP) Climate Change Committee recommends that CEQA GHG analyses evaluate project emissions in light of the trajectory of state climate change legislation and assess their "substantial progress" toward achieving long-term reduction targets identified in available plans, legislation, or EOs. Consistent with AEP Climate Change Committee recommendations, GHG impacts are analyzed in terms of whether the Project would impede "substantial progress" toward meeting the reduction goal identified in SB 32 and EO B-55-18. As SB 32 is considered an interim target toward meeting the 2045 state goal, consistency with SB 32 would be considered contributing substantial progress toward meeting the state's long-term 2045 goals. Avoiding interference with, and making substantial progress toward, these long-term state

targets is important because these targets have been set at levels that achieve California's fair share of international emissions reduction targets that will stabilize global climate change effects and avoid the adverse environmental consequences described under Section 4.7.1, *Setting* (EO B-55-18).

Project Service Population

Based on the adopted SLOAPCD guidance, the Project's service population was determined by summing the number of residents and employees that would be accommodated by the Project. The Project includes up to 80 new resort residential units and 17 workforce housing units, resulting in a total of 97 new dwelling units. These new dwelling units could generate up to 263 new residents in the city (97 dwelling units x 2.71 people/unit [DOF 2019]).

The employee generation for the Project is based on employment generation rates from the San Luis Obispo Air Pollution Control District's (SLOAPCD) *CEQA Air Quality Handbook* (SLOAPCD 2012), and shown in Table 4.7-4. The uses shown are derived from the proposed land use plan and uses included in the Traffic Study for the Project.

Table 4.7-4 Project Employment Generation

Land Use[1]/Project Component	Size (square feet)	Employee Generation Rate (per 1,000 square feet)[2]	Employees Generated
Hotel			
Vine Street Hotel	76,000	0.64	48.6
Hillside Hotel	200,000		128.0
Shopping Center			
Village Commercial Center	18,200	1.39	25.3
High-Turnover Sit-Down Restaurant			
Village Commercial Center	5,600	1.97	11.0
General Office Building			
Village Commercial Center	3,800	2.52	9.6
Promontory Commercial Center	24,000		60.5
Vine Street Commercial	11,000		27.7
Total Employees			**310.7**

[1] Traffic Study, Appendix H
[2] SLOAPCD 2012

As shown in Table 4.7-4, the Project would generate approximately 311 employees. Therefore, the Project's service population would be 574 persons (263 residents + 311 employees).

b. Project Impacts and Mitigation Measures

Threshold 1: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Impact GHG-1 CONSTRUCTION AND OPERATION OF THE PROJECT WOULD GENERATE TEMPORARY AND LONG-TERM INCREASES IN GHG EMISSIONS. THESE EMISSIONS WOULD RESULT IN A SIGNIFICANT CONTRIBUTION TO GLOBAL CLIMATE CHANGE. THIS IMPACT WOULD BE CLASS I, SIGNIFICANT AND UNAVOIDABLE.

Construction Emissions

Project construction would generate temporary GHG emissions primarily from diesel-powered construction equipment as well as from vehicles transporting construction workers to and from the Project site and heavy trucks to transport building materials and construction equipment. Site preparation and grading typically generate the greatest amount of emissions due to the use of grading equipment.

Construction emissions modeling assumed that construction would occur over the course of 62 months, beginning in 2020 and ending in 2025. The construction equipment mix was based on locally-appropriate industry standard CalEEMod default values. Soil material is planned to be balanced on-site. Estimated annual construction-related GHG emissions are shown in Table 4.7-5.

Table 4.7-5 Estimated GHG Emissions during Construction

Year	Annual Emissions (MT of CO_2e)
2020	485.2
2021	1,029.6
2022	1,011.5
2023	992.4
2024	987.8
2025	188.6
Total	**4,695.1**
Amortized over 25 years[1]	187.8

[1] SLOAPCD recommends amortizing construction-related GHG emissions over the life of the project and adding amortized construction emissions to annual operational emissions for the purpose of providing a mechanism for the project to mitigate these impacts alongside operational impacts (SLOAPCD 2012a). SLOAPCD recommends an amortization period of 50 years for residential projects and 25 years for commercial projects. Because the Project includes a mix of uses, this analysis conservatively assumes a minimum project life of 25 years.

As shown in Table 4.7-5, Project construction would emit approximately 4,695 MT of CO_2e over the construction period, or approximately 188 MT of CO_2e per year when amortized over a 25-year period (the assumed minimum Project lifetime).

Combined Annual Emissions

New Project development would generate long-term GHG emissions from new vehicle trips (mobile emissions), combustion of natural gas and use of electricity (energy emissions), solid waste disposal, water use, and consumer products, architectural coatings, and landscaping equipment (area emissions). Table 4.7-6 summarizes and combines the amortized construction and operational GHG

emissions associated with the Project for year 2030 (next milestone GHG target year per the 2017 Scoping Plan) in comparison to the locally-appropriate, Project-specific threshold. It should be noted that the Project-specific efficiency threshold was derived from CARB's recommendations in the 2017 Climate Change Scoping Plan in accordance with *State CEQA Guidelines* Section 15064.4(b)(2) to establish a locally-appropriate, evidence-based, project-specific threshold consistent with the 2030 SB 32 target. The locally-appropriate 2030 efficiency threshold represents a more conservative GHG emissions target than the adopted SLOAPCD threshold or consistency with the city's adopted Climate Action Plan, because these thresholds were developed based on the State's 2020 GHG emission reduction targets.

Table 4.7-6 Combined Annual GHG Emissions

Emission Source	Project Emissions (MT of CO_2e per year)
Construction	187.8
Operational	
Area	1.2
Energy	1,473.9
Solid Waste	207.0
Water	60.9
Mobile	
CO_2 and CH_4	3,074.7
N_2O	35.0
Total Emissions	5,040.5
Service Population	574
Emissions per Service Person	**8.8**
Threshold	**3.3**
Threshold Exceeded?	**Yes**

Source: CalEEMod annual emissions and N_2O mobile emissions calculations, Appendix C

As shown in Table 4.7-6, combined annual GHG emissions from the anticipated development would be approximately 8.8 MT of CO_2e per service person per year, which would exceed the locally-appropriate, Project-specific threshold of 3.3 MT of CO_2e per service person per year. Therefore, the anticipated development would result in a potentially significant increase in GHG emissions.

Mitigation Measure

GHG-1 GHG Emissions Reduction Program

Prior to permit issuance, the developer shall prepare a GHG Emissions Reduction Program that reduces annual GHG emissions from the development by a minimum of approximately 3,146 MT of CO_2e per year (5.5 MT of CO_2e per person per year) over the operational life of the proposed development. A qualified GHG Analyst shall confirm that GHG emissions reductions can be satisfied with GHG Emissions Reduction Program measures. The plan shall be implemented on-site by the developer and may include, but is not be limited to, components such as:

a. Installation of renewable energy facilities;
b. Construction of buildings that achieve energy and water efficiencies beyond CCR, Title 24 requirements;

c. Implementation of green building practices and/or cool roofs;
d. Installation of energy-efficient equipment and appliances exceeding California Green Building Code standards;
e. Installation of outdoor water conservation and recycling features, such as smart irrigation controllers and reclaimed water usage;
f. Installation of low-flow bathroom and kitchen fixtures and fittings;
g. Installation of light emitting diode (LED) lights;
h. Implementation of waste reduction programs that may include waste minimization, waste diversion, composting, and material reuse/recycling;
i. Provision of incentives and outreach that promote alternative transportation and transit use to future employees and patrons;
j. Construction of bicycle and pedestrian-oriented facilities (e.g., bicycle parking spaces);
k. Promotion of alternative fuel vehicles, including through the installation of electric vehicle charging infrastructure; or
l. Implementation of carbon sequestration measures, such as tree planting; or
m. Purchase carbon offsets to reduce GHG emissions below threshold levels.

Plan Requirements and Timing. The GHG Emissions Reduction Program shall be submitted by the developer and reviewed and approved by City staff. Applicable elements of the approved GHG Emissions Reduction Program shall be reflected on site plans and building permits prior to permit approval. Purchase of carbon offsets shall be approved by City staff prior to permit approval. The purchase of carbon offsets would not subject the Project to California's cap-and-trade program.

Monitoring. City staff shall verify compliance with this measure prior to the issuance of grading permits and building permits. The qualified GHG Analyst shall confirm GHG emissions reductions achieved with implementation of GHG Emissions Reduction Program measures.

Significance After Mitigation

Implementation of Mitigation Measure GHG-1 would reduce GHG emissions from the anticipated on-site development, but would not substantially reduce GHG emissions from mobile sources, which comprise approximately 52 percent of the Project's GHG emissions. Additionally, the city does not currently have a program in place to verify the purchasing of carbon offsets as sufficient means to reduce GHG emissions below threshold levels. As a result, implementation of Mitigation Measure GHG-1 would not ensure the Project's annual GHG emissions would not exceed the locally-appropriate, Project-specific 2030 efficiency threshold.

Because the Project's emissions may exceed the locally-appropriate, Project-specific 2030 efficiency threshold, lack of verification of effectiveness of carbon offsets to reduce GHG emissions in the city, and no further feasible mitigation measures are available, the Project would impede substantial progress toward meeting the state's 2030 and 2045 GHG reduction goals, and impacts related to GHG emissions would remain significant and unavoidable.

Threshold 2:	Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Impact GHG-2 THE PROJECT WOULD BE INCONSISTENT WITH THE CITY'S CLIMATE ACTION PLAN, 2019 RTP, AND THE 2017 SCOPING PLAN. THIS IMPACT WOULD BE CLASS I, SIGNIFICANT AND UNAVOIDABLE.

As discussed under Section 4.8.1(d), *Regulatory Setting*, several plans have been adopted to reduce GHG emissions at the statewide, regional, and local levels. The Project's level of consistency with the City of Paso Robles Climate Action Plan and the SLOCOG 2019 RTP are discussed below.

City of Paso Robles Climate Action Plan

The city's Climate Action Plan is a long-range plan to reduce GHG emissions from city government operations and community activities within Paso Robles. The Climate Action Plan is a qualified GHG reduction plan consistent with *State CEQA Guidelines* Section 15183.5 through year 2020. However, the Project has a buildout year of 2024, which is beyond the Climate Action Plan horizon. As described in Impact GHG-1, this analysis does not rely on consistency with the City's Climate Action Plan strategies to evaluate the significance of the project's GHG emissions; however, the City's Climate Action Plan includes a worksheet that identifies various "mandatory" as well as "voluntary" GHG-reduction measures which continue to apply to new development in Paso Robles, including the Project site upon annexation. To be consistent with the Climate Action Plan, the Project would need to incorporate all "mandatory" actions as binding and enforceable components. If the Project could not meet one or more of the "mandatory" actions, substitutions may be made provided that equivalent reductions can be demonstrated (City of Paso Robles 2013). Based on a review of the city's Climate Action Plan, the current Project plans do not include all applicable mandatory measures, such as measures requiring high-efficiency lighting and small-scale solar systems (Measures E-5 and E-6), pedestrian and bicycle network amenities (Measures TL-1 and TL-2), access to public transit and electrical vehicle charging stations (Measures TL-3 and TL-7), CALGreen water efficiency standards (Measure W-1), and construction waste diversion (Measure S-1).[2] Therefore, the Project would be inconsistent with the City's Climate Action Plan. As a result, this impact would be potentially significant.

SLOCOG 2019 RTP

SLOCOG's 2019 RTP, which also includes the region's SCS, provides land use and transportation strategies to reduce regional GHG emissions. A major part of achieving the GHG reduction goals of SB 32 are strategies to promote sustainable communities, which include features such as zero net energy (ZNE) buildings, improved transportation choices that result in reduced per capita vehicle miles travelled (VMT), and the increased use of low-carbon fuels and more efficient vehicles.

Under SB 375, the development and implementation of SCSs, which link transportation, land use, housing, and climate policy at the regional level, are designed to reduce per capita mobile source GHG emissions through implementation of measures that would result in reductions in per capita VMT. The Project would assist in implementation of the SCS by providing transportation connections

[2] The Project identifies pedestrian facilities along some of the proposed on-site roadways and extension of the bicycle lane on South Vine Street, which would provide access to and promote the use of nearby existing bicycle and transit facilities. However, given the conceptual nature of the Project, detailed plans have not been developed for all roadways/locations. As a result, the Project would be inconsistent with this measure.

and supporting multi-modal transportation options, including those identified in the Circulation Master Plan (Figure CE-1) in the city's General Plan Circulation Element, by constructing the realignment of South Vine Street and continuing the bicycle lane along South Vine Street. The Project would also provide on-site workforce housing and mitigation measures, as described throughout this EIR, for potential impacts to environmental resources. However, the Project would not be consistent with the existing County or City designations for the site, and would require a Sphere of Influence (SOI) amendment and an annexation from the County of San Luis Obispo into the City of Paso Robles, a Pre-Zoning application, and a General Plan amendment, approval of a Development Plan, and Development Agreement. Additionally, in 2018, CARB adopted more aggressive SB 375 targets as a means of supporting progress toward the 2017 Scoping Plan goals. For the SLOCOG region, CARB set passenger vehicle GHG reduction targets of an 8 percent decrease in per capita VMT by 2020 and an 8 percent decrease in per capita VMT by 2035. The Project would result in annual VMT of 10,269,924, or an average daily VMT of 28,137 (annual VMT divided by 365 days per year). Buildout of the Project site would increase the City's daily VMT to 1,365,408 in 2025, an increase of approximately 2.1 percent from the General Plan Circulation Element Update EIR buildout projection of 1,337,271 daily VMT in 2025. Therefore, the Project would not be consistent with the vision, goal, and policies in the 2019 RTP and included SCS. This impact would be potentially significant.

2017 Scoping Plan and EO B-55-18

The 2017 Scoping Plan outlines a pathway to achieving the reduction targets set under SB 32, which is considered an interim target toward meeting the state's long-term 2045 goal established by EO B-55-18. As discussed in Section 4.7.2.a, *Methodology and Significance Thresholds*, the Project would impede "substantial progress" toward meeting the SB 32 and EO B-55-18 targets if per service person GHG emissions exceeded the locally-appropriate, Project-specific 2030 efficiency threshold. As discussed under Impact GHG-1, the project's GHG emissions would exceed the 2030 efficiency threshold. As a result, the project would conflict with the 2017 Scoping Plan and EO B-55-18. This impact would be potentially significant.

Mitigation Measures

Implementation of Mitigation Measures AQ-1, AQ-3, GHG-1, and GHG-2 would reduce daily VMT per capita and ensure that the Project would be consistent with the "mandatory" GHG-reduction measures in the city's Climate Action Plan.

GHG-2 Greenhouse Gas Emission Reduction Measures

The developer shall incorporate GHG emission reduction measures into the Project plans that are consistent with the "mandatory" measures identified in the Paso Robles Climate Action Plan (CAP). To the extent possible, "voluntary" measures identified in the city's CAP should also be incorporated. Consistent with the city's CAP, GHG reduction measures shall include, but would not be limited to:

a. All public improvement plans and on-site improvement plans shall utilize LED high-efficiency lights for parking lots, streets, trails, and other public areas. (CAP Measure E-5)
b. Building permit plans for all commercial buildings shall include only LED high-efficiency lights in parking areas and other exterior spaces. (CAP Measure E-5)
c. Building permit plans for all commercial, mixed-use resort residential, and hotel development shall include on-site bicycle parking beyond that required by the California Green Building

Standards Code (e.g., lockers or a locked room with standard racks and access limited to bicyclists only). (CAP Measure TL-1)

d. The Project site's internal circulation network shall minimize barriers to pedestrian access and interconnectivity and shall incorporate traffic calming improvements as appropriate (e.g., marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, median islands, minicircles, tight corner radii, etc.). (CAP Measure TL-2)

e. The Project site's internal circulation network shall be designed accommodate a future public transit bus stop, or the Project shall coordinate with the City to provide a future transit stop along South Vine Street. (CAP Measure TL-3)

f. Project development shall comply with CALGreen Tier 1 or Tier 2 standards for water efficiency and conservation. (CAP Measure W-1)

g. Project plans shall include infrastructure to accommodate recycled water when it becomes available. (CAP Measure W-1).

h. The Project shall utilize recycled water to the maximum extent feasible when recycled water becomes available. (CAP Measure W-1)

i. Construction activity on the Project site shall divert a minimum of 65 percent of non-hazardous construction or demolition debris. (CAP Measure S-1)

j. Electrically powered appliances (e.g., water heaters, clothes dryers, cooking appliances, pool heating systems) shall be used in new development to the extent practicable. Where gas appliances are installed, electrical services shall be provided to accommodate future retrofit to electrical appliances.

Plan Requirements and Timing. The Project applicant shall incorporate Greenhouse Gas Emission Reduction Measures into Project plans and submit documentation to the city that measures have been implemented or provide proof to the city that equivalent reductions have been achieved through other city-approved emissions reduction practices.

Monitoring. The Project applicant shall retain a third-party greenhouse gas consultant to provide a statement to the city that verifies that Greenhouse Gas Reduction Measures have been incorporated into the Project prior to issuance of building permits and again prior to issuance of occupancy permits.

Significance After Mitigation

Implementation of Mitigation Measures AQ-1, AQ-3, GHG-1, and GHG-2 would ensure the Project is consistent with the regional GHG reduction measures targets in the city's Climate Action Plan and 2019 RTP. As discussed in Impact GHG-1, the Project would be inconsistent with the state's adopted reduction targets contained in the 2017 Scoping Plan and EO B-55-18. Therefore, the Project would be inconsistent with these GHG reduction plans, and this impact would be significant and unavoidable.

4.7.3 Cumulative Impacts

Growth within the City of Paso Robles would result in increased GHG emissions from vehicle trips, energy consumption, and other sources. Analyses of GHGs are cumulative in nature because project-level GHG emissions contribute to the cumulative impact of the accumulation of GHGs in the atmosphere. Projects falling below the impact thresholds discussed above would have a less than significant impact, both individually and cumulatively. As indicated in Impact GHG-1, the Project would impede substantial progress toward meeting the state's 2030 and 2045 GHG reduction goals, resulting in a significant and unavoidable impact. Additionally, as discussed in Impact GHG-2, the Project would conflict with applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions, resulting in a significant and unavoidable impact. Therefore, the Project's contribution to significant cumulative impacts related to GHG emissions would be cumulatively considerable, and cumulative GHG impacts would be significant and unavoidable.

4.8 Hazards and Hazardous Materials

This section considers the potential for the Project to result in impacts related to hazards and hazardous materials and identifies mitigation measures necessary to avoid and/or reduce potential significant impacts to less than significant levels. This analysis consists of a description of the existing conditions at the Project site and surrounding area, a summary of the regulatory framework that guides the decision-making process for determining if the Project would result in significant impacts, anticipated impacts (direct, indirect, and cumulative), mitigation measures, and level of significance after mitigation.

4.8.1 Setting

a. Overview

Hazardous materials include chemicals and other substances defined as hazardous by federal and state laws and regulations. In general, these materials include substances that, because of their quantity, concentration, physical, chemical, or infectious characteristics, may have harmful effects on public health or the environment during their use or when released to the environment. Hazardous materials also include waste chemicals and spilled materials.

The Project site does not contain any sites that are included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 (Cortese List), and no such listings are near the Project site. United States Highway 101 (U.S. 101), State Route 46 (SR 46) West, and related urban uses are in the general vicinity to the south and east of the Project site. These uses include service stations and other commercial and industrial establishments that use and store fuels and other hazardous materials consistent with applicable regulations.

The majority of the Project site is currently vacant. Existing and past uses on the Project site include intermittent grazing and non-irrigated almond orchard farming.

The nearest existing school to the Project site is Pat Butler Elementary School, located at 700 Nicklaus Street, 1.4 miles northeast of the Project site.

b. Known Hazardous Materials Sites

The following databases and sites were searched for records relating to any known hazardous materials contamination within the Project site:

1. United States Environmental Protection Agency (U.S. EPA) databases;
2. The State Water Resources Control Board (SWRCB) Geotracker database;
3. Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) database;
4. Department of Toxic Substances Control's (DTSC) EnviroStor and Hazardous Waste Tracking System databases;
5. SWRCB solid waste disposal sites, active Cease and Desist Orders, and Cleanup and Abatement Orders;

6. County of San Luis Obispo Public Health Department Environmental Health Services Division; and
7. The Cortese list.

The Project site is bounded by SR 46 West on the south, South Vine Street (frontage road) and U.S. 101 on the east, and scattered vineyard and residential uses on the north and west. A review of federal, state, and local environmental databases determined that the adjacent properties did not contain any past or active clean-up sites. The nearest locations on the DTSC Envirostor data base of clean-up sites (DTSC 2019) are the old Paso Robles Airport (Sherwood Field) and several industrial properties, all approximately three miles northeast of the site. The subject property is not located on a site which is included on a Federal, State or local list of hazardous materials sites (Geotracker 2018). Nearby locations currently permitted to store and use hazardous materials include Central Coast Gases and Firestone Brewery both east of U.S. 101, which are identified in the City's Local Hazard Mitigation Plan (Paso Robles 2016:Figure B-7). The Firestone Brewery is the site of a reported spill, and deemed a Cleanup Program Site by SWRCB, with remediation and monitoring efforts underway since 2017 (Geotracker 2018). Two service stations are also located east of U.S. 101 on Ramada Drive (one of which has a completed clean up record), and similar uses including a car dealership and service centers are within one mile of the Project site to the east and south.

c. Airport Safety Hazards

The Project site is located approximately six miles southwest of the Paso Robles Municipal Airport. The site is not within the jurisdiction of the San Luis Obispo County Airport Land Use Commission's Airport Land Use Plan.

d. Other Potential Hazards

Other potential hazards that may occur on the Project site include residual agricultural chemicals in soils, wildland fires, and hazardous material transport. The Project site setting associated with each of these potential hazards is discussed more fully below.

Residential Agricultural Chemicals

The Project site has historically been used for agricultural purposes. As a result, residual agricultural chemicals including pesticides, arsenic, and herbicides may be present in the soil.

Wildland Fires

Fires have the potential to cause losses to life and property, and adverse environment effects. Fire hazard severity in rural areas, including areas on the edge between urban and rural land (commonly called the wildland-urban interface), is highly influenced by the slope of the landscape and site vegetation and climate.

Wildland fires affect grass, forest, and brushlands, as well as any structures on these lands, and can result from either human-made or natural causes. The region's topography, type, and amount of fuel, climate, and the availability of water for firefighting are the primary factors influencing the degree of fire risk. According to the California Department of Forestry and Fire Protection (Cal Fire), vegetation fires comprise the majority of fires in San Luis Obispo County. Based on known fuels, terrain, weather, and other relevant factors, the risk of fire hazard is considered high within and adjacent to the planning area, according to Cal Fire (Cal Fire 2019).

Hazardous Material Transport

The City Local Hazards Mitigation Plan states that the areas of main concern for hazardous materials upset include U.S. 101 and SR 46 West and the Union Pacific Railroad. The proximity of these transportation routes to densely populated areas of the City presents a remote possibility of a mobile hazardous materials incident. Truck accidents could result in spills of such materials. U.S. 101 and SR 46 West are located within 150 feet of the Project site's eastern and southern boundaries, respectively. The Union Pacific Railroad is located approximately 1,000 feet east of the Project site. As shown in the City's Local Hazards Mitigation Plan, the one-quarter mile corridor associated with these transportation routes extends into the development areas proposed within the Gateway Project site (Paso Robles 2016:Figure B-7). This is not unique, since the LHMP notes that there are 4.647 square miles of such corridors throughout the City (Paso Robles 2016: page 5-27). Moreover, all transport of hazardous materials is subject to federal, state, and local laws and regulations pertaining to the transportation of hazardous materials, discussed further in Section 4.8.1(f) below.

e. Site Conditions

The Project site includes approximately 170 acres of undeveloped land characterized by rolling topography comprised of grasslands, oak woodlands, riparian habitat and ephemeral drainages. The site is bounded on the south by the suburban commercial land uses adjoining SR 46 West. The property fronts Vine Street on its easterly boundary, adjacent to U.S. 101.

Two single family residences and three associated barns were previously located within the Project area. These structures were tested for Lead Based Paint (LBP) and Asbestos Containing Material (ACM) prior to being demolished. Studies performed prior to the demolition of these structures found detectable concentrations of lead considered to be a hazard by the California Department of Health Services, and damaged plaster containing ACM. Intact and undisturbed building materials were found to contain ACM and were determined to not pose a risk to human health if left undisturbed. The residences and associated structures were demolished and removed, with appropriate permits, in 2007 and 2008.

Past agricultural uses on the Project site included dry farmed almond orchards in the early 1900s, and occasional cattle grazing. Remnants of the almond orchards, which were abandoned several decades ago, remain in the northern portion of the Project site, generally in Area 3 (Hillside Hotel) and Area 7 (Agriculture). Pesticide use in this area has not occurred for many years, but soils in this area could contain residual amounts of hazardous chemicals.

Similar agricultural uses with scattered residences are located on the properties northern and westerly boundaries. To the immediate north, existing vineyards have not been maintained for several years.

f. Regulatory Setting

The management of hazardous materials and hazardous wastes is regulated at the federal, state, and local levels; including regulations through programs administered by the U.S. EPA; agencies within the California EPA, such as the DTSC; federal and state occupational safety agencies; and the San Luis Obispo County Environmental Health Services. Regulations pertaining to flood hazards are further discussed in Section 4.9, *Hydrology and Water Quality*.

Definition of Hazardous Materials

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined in Title 22 of the California Code of Regulations as follows:

> "A substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed." (California Code of Regulations, Title 22, Section 66261.10)"

Chemical and physical properties cause a substance to be considered hazardous. Such properties include toxicity, ignitability, corrosiveness, and reactivity. California Code of Regulations, Title 22, Sections 66261.20 through 66261.24 defines the aforementioned properties. The release of hazardous materials into the environment can contaminate soils, surface water, air quality, and groundwater supplies.

Federal

The Federal Toxic Substances Control Act (1976) and the Resource Conservation and Recovery Act of 1976 (RCRA) established a program administered by the U.S. EPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act, which affirmed and extended the "cradle to grave" system of regulating hazardous wastes. Among other things, the use of certain techniques for the disposal of some hazardous wastes was specifically prohibited by the Hazardous and Solid Waste Act.

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) was enacted in 1980 and amended by the Superfund Amendments and Reauthorization Act in 1986. This law provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Among other things, CERCLA established requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled revision of the National Contingency Plan, which provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The National Contingency Plan also established the National Priorities List.

National Emission Standards for Hazardous Air Pollutants 40 CFR 61 Subpart M –

Projects requiring the removal or relocation of utility pipelines or removal or renovation of buildings may be subject to the requirements stipulated in the National Emissions Standards for Hazardous Air Pollutants. These requirements include but are not limited to:

1. Notification requirements to the San Luis Obispo County Air Pollution Control District (SLOAPCD);
2. Asbestos survey conducted by a Certified Asbestos Inspector; and
3. Applicable removal and disposal requirements of asbestos containing materials.

Federal Occupational Safety and Health Administration (OSHA) - Process Safety Management Standard (29 CFR 1910.119)

This standard includes requirements for preventing or minimizing the consequences of catastrophic releases of toxic, reactive, flammable, or explosive chemicals. Requirements of this standard include providing employees with information pertaining to hazardous chemicals, training employees on the operation of equipment with hazardous materials, and employer requirements to perform a process hazard analysis.

U.S. Department of Transportation

The U.S. Department of Transportation regulates hazardous materials transportation on all interstate roads pursuant to its authority under the Hazardous Materials Transportation Uniform Safety Act (49 United States Code §5101 et seq.). In California, the California Department of Transportation (Caltrans) and California Highway Patrol enforce federal law. Together, these agencies determine driver training requirements, load labeling procedures, and container specifications.

Clean Air Act

Regulations under the Clean Air Act are designed to prevent accidental releases of hazardous materials. The regulations require facilities that store minimum quantities (called threshold quantities) or greater of listed regulated substances to develop a Risk Management Plan including hazard assessments and response programs to prevent accidental releases of listed chemicals.

State

Department of Toxic Substances Control (DTSC) of the California EPA is the primary agency in California that regulates hazardous waste, cleans up existing contamination, and looks for ways to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of RCRA and the California Health and Safety Code.

DTSC also administers the California Hazardous Waste Control Law to regulate hazardous wastes. While the Hazardous Waste Control Law is generally more stringent than RCRA, until the U.S. EPA approves the California program, both state and federal laws apply in California. The Hazardous Waste Control Law lists 791 chemicals and approximately 300 common materials that may be hazardous; establishes criteria for identifying, packaging, and labeling hazardous wastes; prescribes management controls; establishes permit requirements for treatment, storage, disposal, and transportation; and identifies some wastes that cannot be disposed of in landfills.

Government Code Section 65962.5 requires the DTSC, the State Department of Health Services, the SWRCB, and CalRecycle to compile and annually update lists of hazardous waste sites and land designated as hazardous waste sites throughout the state. The Secretary for Environmental Protection consolidates the information submitted by these agencies and distributes it to each city and county where sites on the lists are located. Before the lead agency accepts an application for any development project as complete, the applicant must consult these lists to determine if the site at issue is included.

If any soil is excavated from a site containing hazardous materials, it would be considered a hazardous waste if it exceeded specific criteria in Title 22 of the California Code of Regulations. Remediation of hazardous wastes found at a site may be required if excavation of these materials is performed, or if certain other soil disturbing activities would occur. Even if soil or groundwater at a

contaminated site does not have the characteristics required to be defined as hazardous waste, remediation of the site may be required by regulatory agencies subject to jurisdictional authority. Cleanup requirements are determined on a case-by-case basis by the agency taking jurisdiction.

The State of California Food and Agricultural Code regulates the use of pesticides. Section 12972 requires that the use of pesticides not result in substantial drift to non-target areas. Section 12977 empowers the Agricultural Commissioner to enforce this provision. In addition, Section 12982 states that the local health officer shall investigate any health hazard from pesticide use and take necessary action, in cooperation with the Agricultural Commissioner, to abate the hazard. California Code of Regulations, Title 3, Section 6614 restricts pesticide application when there is a reasonable possibility of: substantial drift to non-target areas; contamination of the bodies or clothing of persons not involved in the application process; damage to non-target crops, animals or other public or private property; or contamination of public or private property, including the creation of a health hazard that prevents normal usage of that property.

Site-Specific Health and Safety (California Division of Occupational Safety and Health Administration [Cal/OSHA] Title 8 and OSHA 29 CFR 1910)

Under these requirements, employers must develop site-specific Health and Safety Plans. Workers potentially exposed to hazardous materials in their workplace must be trained so that they are aware of the hazards and provided necessary protection from the hazardous materials.

Hazardous Material Release Response Plans and Inventory Law (California Health and Safety Code, Chapter 6.95)

This law requires businesses to develop a Release Response Plan for hazardous materials emergencies if they handle more than 500 pounds, 55 gallons, or 200 cubic feet of hazardous materials. In addition, the business must prepare a Hazardous Materials Inventory of all hazardous materials stored or handled at the facility over the above thresholds. Also, all hazardous materials must be stored in a safe manner. Both the Release Response Plan and the Hazardous Materials Inventory must be supplied to the Certified Unified Program Agency (CUPA) for the program. For the Project site, the CUPA consists of the County of San Luis Obispo Environmental Health Services Division.

California Health and Safety Code, Division 20, Chapter 6.8, Section 25319.5 - Preliminary Endangerment Assessment

The California Health and Safety Code (HSC) requires that a preliminary endangerment assessment provide sufficient information to determine whether or not current or past waste management practices have resulted in the release or a threatened release of hazardous substances that pose a threat to public health or the environment. The preliminary endangerment assessment should also provide sufficient information to conclude whether or not significant response actions are necessary at the site as well as include an analysis of the scope and identity of the affected community.

Safe Drinking Water and Toxic Enforcement Act (Proposition 65) (1986)

In California, pursuant to the Safe Drinking Water and Toxic Enforcement Act of 1986: (1) no person in the course of doing business shall knowingly discharge or release a chemical known to the state to cause cancer or reproductive toxicity into water or onto land where such chemical passes or probably will pass into any source of drinking water, and (2) no person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to the state to

cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual. The "no significant risk" level for carcinogens that is enforced by this Act is one in one hundred thousand (1×10^{-5}).

Porter-Cologne Water Quality Control Act (Division 7 of the California Water Code)

The Porter-Cologne Act establishes a regulatory program to protect water quality and to protect beneficial uses of state waters. The Porter-Cologne Act also establishes the state board and regional boards as the principal state agencies responsible for control of water quality. Each of the nine Regional Water Quality Control Boards in California is required to develop guidance to assist in ensuring that the intent of the Porter-Cologne Act is met. Cleanup criteria are based on the type of contaminant (e.g., gasoline, diesel, or oil) released and the depth to groundwater.

HSC, Division 20, Chapter 6.5, and California Code of Regulations (CCR) Title 22 – Hazardous Waste Management

Waste that is toxic, corrosive, flammable, or reactive when tested in accordance with the CCR, Title 22, Article 11, Section 66693, must be handled, stored, transported, and disposed of in accordance with these regulations, which are more stringent than federal regulations.

California Fire Code

To minimize risks to public health and the environment, a Fire Prevention Inspector shall review a list of hazardous materials stored aboveground on a property to assess potential individual and/or cumulative impacts to the property and surrounding areas. The inspector would ensure that hazardous materials stored onsite are in compliance with Chapter 6.95 of the California HSC. The fire code provides uniform fire prevention, hazardous material, and building construction regulations.

Local

City of Paso Robles General Plan Safety Element

The City's General Plan guides the use and protection of various resources to meet community purposes. The Safety Element (2014) is focused on achieving acceptable levels of risk through decisions on land use and the form of development, with consideration for the closely related factor of transportation. The Safety Element includes policies that describe an approach to achieving the goals of the General Plan. In terms of hazards and hazardous materials, the following policies are pertinent to the Project:

Policy S-1C: Hazardous Exposure Minimization. Minimize hazards to people and property caused by fire, crime, and related services.

Policy S-1D: Structural Safety. Rely on the City's planning and building permit review process to ensure that existing and proposed structures are adequately designed, and to reduce susceptibility to damage from fire, flooding, and geologic hazards.

Policy S-1E: Hazardous Materials. The City shall comply with Government code requirements regarding the use, storage, and transportation of hazardous materials.

City of Paso Robles Fire Department

The City of Paso Robles Fire Department issues and manages Hazardous Waste Generator Permits. Permits are required to maintain, store, use or handle materials which produce conditions hazardous to life or property.

4.8.2 Impact Analysis

a. Methodology and Significance Thresholds

For the purposes of this analysis, relevant documents were reviewed, particularly the City of Paso Robles General Plan and documents related to Hazardous Materials associated with the Project site. A discussion of the Project's consistency with plans and policies and relevant CEQA significance criteria is provided below.

The Project has been analyzed with respect to potential impacts associated with hazards and hazardous materials by use of the environmental checklist questions included in Appendix G of the CEQA Guidelines. If construction and/or operation of the Project would result in any of the following conditions, Project impacts could be considered potentially significant:

1. Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
2. Would the Project 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?
3. Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?
4. Would the Project 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?
5. 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 or excessive noise for people residing or working in the Project area?
6. Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
7. Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The State CEQA Guidelines also require analysis of potential hazards associated with wildfire. A significant impact related to wildfire would occur if the Project would:

8. Substantially impair an adopted emergency response plan or emergency evacuation plan.
9. Exacerbate wildfire risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.
10. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

11. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Since no schools are located within 0.25 mile of the Project site, Threshold 3 is addressed in Section 4.15, *Less Than Significant Environmental Effects*, and is not discussed further in this section. The Project would not occur on a hazardous material site, as identified pursuant to Government Code Section 65962.5. Therefore, Threshold 4 is addressed in Section 4.15, *Less Than Significant Environmental Effects*, and is not discussed further in this section. The Project site is not located within an airport land use plan area or within two miles of a public airport or public use airport. Therefore, Threshold 5 is addressed in Section 4.15, and is not discussed further in this section.

b. Project Impacts and Mitigation Measures

Threshold 1	Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
Threshold 2	Would the Project 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?

Impact HAZ-1 HAZARDOUS MATERIALS ASSOCIATED WITH FORMER RESIDENTIAL STRUCTURES AND AGRICULTURAL OPERATIONS MAY BE PRESENT IN SOILS ON THE PROJECT SITE. THIS IMPACT WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

Project construction activities may include the temporary transport, storage, use, or disposal of potentially hazardous materials including fuels, lubricating fluids, cleaners, solvents, or contaminated soils. If spilled, these substances could pose a risk to the environment and to human health. However, the transport, storage, use, or disposal of hazardous materials during Project construction activities would be subject to federal, state, and local regulations pertaining to the transport, use, storage, and disposal of hazardous materials, which would assure that risks associated with hazardous materials are minimized.

Once operational, the Project would include hotel, visitor-serving commercial, and resort residential uses. These uses typically do not use or store large quantities of hazardous materials. Residential and non-residential uses may involve the routine use and storage of some materials that are considered hazardous. Such materials would typically be limited to typical solvents, paints, chemicals used for cleaning and building maintenance, and landscaping supplies. The proposed hotel and resort uses may include recreational pools, which would require the use of small quantities of chlorine for maintenance. The use of such materials is regulated by federal, state, and local laws, discussed in Section 4.8.1(f), *Regulatory Setting*, with which the Project would be required to comply.

The Project site is not located on a site which is included on a federal, state or local list of hazardous materials sites (Geotracker 2018). There are no records of hazardous waste incidents or clean ups within the Project site boundary. The two single family residences and three barns that were previously located within the Project site boundary on South Vine Street have been demolished and removed in accordance with all applicable regulations. Only minor debris remains mixed in the surface soils at the sites of the former residences. It is possible that additional building material remains in surface soil or trash pits buried at these sites or other locations within the property. It is

also possible that residual amounts of pesticides or fertilizer products remain in soils generally in the northern portion of the Project site.

If encountered during grading and site preparation, such material may pose a hazard to workers. This is identified as a potentially significant impact, which can be minimized through compliance with regulations regarding hazardous materials in accordance with the Paso Robles Municipal Code or Local Oversight Program. Nevertheless, additional mitigation is required.

Mitigation Measures

The following mitigation measure would be required to reduce the potential to create a significant hazard to the public or the environment through contact with potentially contaminated soils on-site, or routine transport, use, or disposal of hazardous materials.

HAZ-1 Soil Sampling and Remediation

Prior to issuance of any grading permits or site disturbance/tract improvements, a Phase I environmental site assessment shall be completed in portions of land to be graded for each development area on the Project site. Soil samples shall be collected under the supervision of a professional geologist or environmental professional to determine the presence or absence of contaminated soil in these areas. The sampling density shall be in accordance with guidance from the County of San Luis Obispo Environmental Health Services Division, so as to define the volume of soil that may require remediation. Laboratory analysis of soil samples shall be analyzed for the presence of organochlorine pesticides, in accordance with EPA Test Method SW8081A, and heavy metals in accordance with EPA Test Methods 6010B and 7471A. If soil sampling indicates the presence of pesticides or heavy metals exceeding applicable environmental screening levels, the soil assessment shall identify the volume of contaminated soil to be excavated.

If concentrations of contaminants exceed EPA action levels and therefore warrant remediation, the applicant shall prepare a Contaminated Soils Assessment and Remediation Plan. The plan shall identify the contaminant, the volume of contaminated soil, treatment or remediation methods, and regulatory permits required to complete the remediation. Remediation activities shall require implementation of all applicable project construction requirements, including other construction-related mitigation measures identified in this EIR. All necessary reports, regulations and permits shall be followed to achieve cleanup of the site. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation and under the direction of the lead oversight agency. The remediation program shall also be approved by a regulatory oversight agency, such as the County of San Luis Obispo Environmental Health Services Division, the RWQCB, or DTSC. All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation, the environmental consultant shall prepare a report summarizing the Project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.

Plan Requirements and Timing. Prior to issuance of any grading permits or site disturbance/tract improvements, a Phase I environmental site assessment shall be completed in the portions of land to be graded for development. The Contaminated Soils Assessment and Remediation Plan, if necessary, shall be submitted and approved by the city and applicable regulatory oversight agency prior to the issuance of Project grading permits or site disturbance/tract improvements, whichever comes first.

Monitoring. As applicable, the city shall ensure implementation of a remediation program according to the measures included therein and as approved by a regulatory oversight agency.

Significance After Mitigation

Implementation of mitigation measure HAZ-1, which would require testing and disposal of any hazards or hazardous materials encountered in clearing and grading would reduce the impact of potential hazardous wastes on the property to a less than significant level.

Threshold 6	Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Impact HAZ-2 ACCESS TO THE PROJECT SITE FROM SOUTH VINE STREET COULD INTERFERE WITH EMERGENCY RESPONSE PLANS OR EMERGENCY EVACUATION PLAN WITH EXTENDED USE OR BLOCKAGE OF THIS ROADWAY. THIS IMPACT WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

Construction of the Project would involve ingress and egress at South Vine Street, which is the roadway providing access to a number of properties and neighborhoods on the west side of U.S. 101. Extended use or blockage of this roadway could impair implementation of, or physically interfere with emergency response plans or emergency evacuation plans within the Project site boundary or for the neighborhoods to the north. While such blockage would not be anticipated during Project operations, traffic control plans are routinely provided for construction Projects, and should identify locations and movement of heavy traffic for the Project and provide flagmen or other mechanisms to ensure safe operations and to minimize interference or delays in normal traffic. Project impacts with regard to emergency response plans would be less than significant with mitigation for construction traffic.

Mitigation Measures

HAZ-2 Construction Traffic Control Plan

The applicant shall include a traffic control plan within grading plans submitted to the City for approval. The Traffic Control Plan shall include provisions for notification to all emergency services and affected property owners, designated construction traffic routes, and identify all improvements, equipment and personnel to provide continuous safe routing of traffic during construction.

Plan Requirements and Timing. The Construction Traffic Control Plan shall be prepared and approved prior to issuance of a grading permit for any development area on the Project site.

Monitoring. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. City staff shall ensure compliance in the field prior to issuance of permits.

Significance After Mitigation

Implementation of mitigation measure HAZ-2, which would require implementation of a traffic control plan during grading and construction to ensure continuous access for adjacent properties and emergency vehicle operations, would reduce the impact related to emergency response activities to a less than significant level.

Threshold 7	Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?
Threshold 8	Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?
Threshold 9	Would the Project exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors?
Threshold 10	Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
Threshold 11	Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Impact HAZ-3 THE PROJECT WOULD BE LOCATED IN AN IDENTIFIED HIGH FIRE HAZARD AREA, DESIGNATED BY THE CITY AND CAL FIRE. COMPLIANCE WITH EXISTING REGULATIONS PERTAINING TO FIRE MANAGEMENT WOULD ENSURE POTENTIAL IMPACTS ASSOCIATED WITH WILDLAND FIRE HAZARDS WOULD REMAIN CLASS III, LESS THAN SIGNIFICANT.

The Project site is currently undeveloped and is used for cattle grazing. The northern portion of the property contains almond orchards that have not been maintained for approximately 30 years. The Project site is characterized by rolling topography comprised of grasslands, oak woodlands, and intermittent drainages. There are no identified State Responsibility Areas or very high fire hazard severity zones within incorporated areas of Paso Robles. The Project site is currently located in San Luis Obispo County in an area mapped as a High Fire Severity Zone and a State Responsibility Area, in both the City General Plan Safety Element (Paso Robles 2003:Figure S-8) and in the updated Paso Robles Local Hazard Mitigation Plan (Paso Robles 2016:Figure B-11). According to Cal Fire, the risk of fire hazard is considered high within and adjacent to the planning area (Cal Fire 2019).

Upon annexation, the Project site would be included in the city's Local Responsibility Area, similar to all land within the city limits. The Project would introduce new structures to the area, and a potential hazard would exist to new structures should a wildland fire develop in the vicinity. New residential and commercial uses, associated infrastructure and utilities installation and maintenance, and additional human presence in a high fire hazard area would risk exacerbating existing fire hazard risks to people and structures in the vicinity.

As discussed in Section 4.12, *Public Services*, the Paso Robles Fire Department's average response time standard of four minutes for 90 percent of the calls is not currently being met and a new fire station facility is currently planned. Standard Fire Department requirements such as road naming requirements, address number standards, hydrant requirements, and review of Project site circulation would apply to the Project, and would reduce the risk to people and structures from wildland fires.

Development of the Project site would be required to comply with the California Fire Code, which provides uniform fire prevention, hazardous material, and building construction regulations. Specifically, new development on the Project site would be required to adhere to applicable 2016 CBC Chapter 7A Partial Requirements, which requires certain construction materials and methods to

minimize wildfire exposure hazards in High Hazard Severity Zones. These include Class A fire rated roof assemblies, flame and ember intrusion resistant vents, and non-combustible building side materials. In addition, new development on the Project site would be required to comply with the city's Local Hazard Mitigation Plan, updated building code and fire protection measures, and fuel modification and landscape plan review procedures. These measures include the provision of a minimum 30-foot width of irrigated low fuel plants and other measures on slopes separating developed areas from one another and from natural areas, as shown on the Project Landscape Plan prepared by Firma Landscape Architects (April 29, 2019). Compliance with these existing regulations and procedures would ensure that the Project does not expose people or structures to a significant risk involving wildland fires, otherwise exacerbate risks from wildland fires, or impair an adopted emergency response plan or emergency evacuation plan. Impacts related to wildfires and wildland fire hazards remain less than significant.

Mitigation Measures

This impact would be less than significant without the need for mitigation.

4.8.3 Cumulative Impacts

Planned, proposed, and approved projects in and around the City (refer to Section 3.3, Cumulative Development) would expose additional people and property to hazardous materials common in urban and suburban areas and to other potential hazards, such as wildfires that occur at the interface of rural and urban areas. Specific hazards depend upon the location, type, and size of development and the specific hazards associated with individual sites. Hazards associated with the presence of toxic substances or other hazardous wastes are typically localized in nature, while those associated with wildfires and other regional events may affect larger areas. In most cases and for most development projects, compliance with existing regulations, including building code requirements and City-issued permit requirements would minimize potential cumulative impacts associated with any hazards or hazardous materials. Therefore, cumulative impacts related to hazardous materials would be less than significant. The proposed Gateway Project would comply with all applicable requirements, and incorporate landscaping and other measures that are designed to facilitate implementation of city fire protection and emergency response procedures. The contribution of the Project toward cumulative effects related to wildland fire hazards is less than significant.

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4.9 Hydrology and Water Quality

This section considers the potential for the Project to result in impacts related to hydrology, drainage, flooding, and water quality. The analysis of water supply and potential impacts to water quality are based in part on the Water Supply Assessment (WSA; November 2019) prepared by Todd Groundwater for the Project (Appendix G). The analysis of site drainage and potential impacts to water quality are based on the Hydrology Report (March 2019) and Preliminary Stormwater Control Plan (March 2019) prepared by Fuscoe Engineering, Inc. (Fuscoe) for the Project. These reports are provided in Appendix G.

4.9.1 Setting

a. Project Site Characteristics

The Project is located in north-central San Luis Obispo County at the southwestern corner of the city of Paso Robles. The property is bounded by State Route 46 on the south, Vine Street and U.S. Highway 101 on the east, and scattered vineyard and residential properties to the north and west. The Salinas River lies approximately 0.3 mile east of the property on the east side of U.S. Highway 101.

The Project site is primarily vacant and is characterized by gently sloping hills of approximately 10 to 20 percent in grade, and includes grasslands and clusters of oak trees. Existing and historical land uses of the site include intermittent grazing and non-irrigated defunct almond orchard (Fuscoe 2019b).

Under existing conditions, runoff generally drains through the Project site from east to west via sheet flow and through several ephemeral streams that occur during heavy rain periods. Runoff ultimately flows towards South Vine Street, where it is collected by four outfall culverts, which then convey the runoff under South Vine Street and U.S. Highway 101 before discharging into the Salinas River. The Salinas River flows northwest before discharging to the Monterey Bay, north of the city of Marina (Fuscoe 2019b).

Soils on the Project site generally consist of sandstones and claystones of the Paso Robles Formation in the southern and northern parts of the Project site. The central areas of the Project site include soils generally consisting of gravel, sand, and clay older alluvium. Gravel, sand, and clay (younger) alluvium is present within the drainages (Fuscoe 2019b).

b. Surface Water Resources

On the California Regional Water Quality Control Board (RWQCB) – Central Coast Region's hydrologic maps, the Project is shown to be within the Atascadero Hydrologic Subarea of the Paso Robles Hydrologic Area of the Salinas River Hydrologic Unit (RWQCB 2019). The Project site runs off to a segment of the Salinas River between the Nacimiento River and the Santa Margarita Reservoir. The primary beneficial uses of surface water along this segment of the Salinas River include municipal, agricultural, industrial processes, groundwater recharge, several recreational and habitat uses, and commercial and sport fishing. The Salinas River is currently impaired by chloride, sodium, turbidity, and pH (RWQCB 2019).

c. Groundwater Resources

The Project site is located within the Atascadero Area Subbasin, formerly collectively referenced with the Paso Robles Area Subbasin under the phrase "Paso Robles Subbasin", (California Department of Water Resources [DWR] Basin Number 3-4.06) of the Salinas Valley Groundwater Basin (DWR Basin Number 3-4) (DWR 2015). In 2016, the Atascadero Area was subdivided from Paso Robles Area of the Salinas Valley Groundwater Basin. Collectively, the Paso Robles Area and Atascadero Area subbasins are generally bounded on the north by the Upper Valley Aquifer Subbasin, on the east by the Temblor Range, on the south by the La Panza Range, and the west by the Santa Lucia Range. These subbasins cover approximately 505,000 acres (790 square miles) and are located primarily within San Luis Obispo County with a small portion of the Paso Robles Area Subbasin extending north into Monterey County (DWR 2015). The WSA, conducted for the Project by Todd Groundwater in November 2019, uses the phrase "Paso Robles Groundwater Basin", in order to generally cover both the Atascadero Area and the Paso Robles Area subbasins unless indicated otherwise.

Groundwater in the Atascadero Area and Paso Robles Area subbasins (or basins; formerly collectively known as the Paso Robles Subbasin) is found in Holocene age alluvium and the Pleistocene age Paso Robles Formation. Alluvial deposits occur beneath the floodplains of the rivers and streams within the basin. These deposits reach a depth of about 100 feet below ground surface and are typically comprised of coarse sand and gravel. The Paso Robles Formation extends from ground surface and is typically 700 to 1,200 feet thick, although thicknesses of more than 2,500 feet occur in some areas. The formation is a Plio-Pleistocene, predominantly non-marine geologic unit comprised of relatively thin, often discontinuous sand and gravel layers interbedded with thicker layers of silt and clay. It was deposited in alluvial fan, flood plain, and lake depositional environments. The formation is typically unconsolidated and generally poorly sorted (DWR 2011).

d. Flood Hazards

The Federal Emergency Management Agency (FEMA) delineated the special hazard flood areas and risk premium flood zones applicable to individual communities. The areas of the Project site situated at higher elevations are located in Zone X, which is outside of the one percent annual chance floodplain (FEMA 2012a). The area of the Project site situated nearer to the Salinas River in the southeastern portion of the site are located in Zone A, which is inside of the one percent annual chance floodplain (FEMA 2012b). No other flood hazard areas are located on the Project site.

e. Regulatory Setting

Federal, state, and local agencies regulate surface water and groundwater resources and their associated water quality for the protection of watersheds, floodplains, and water quality. These agencies regulate surface water and groundwater so that identified beneficial uses are not impaired. Water quality regulations are designed to limit the discharged of pollutants into the environment, maintain surface water and groundwater quality, protect fish and wildlife and their habitats, and protect beneficial uses.

Federal

Federal Clean Water Act, 33 U.S.C. 1251 et seq. (1977)

The Federal Clean Water Act (CWA) is the primary federal law regulating water pollution. Relevant sections include:

- Section 208, requiring that states develop programs to identify and control non-point sources of pollution, including runoff.
- Section 303, requiring states to establish and enforce water quality standards to protect and enhance beneficial uses of water for such purposes as recreation and fisheries.
- Section 304(a)(1), requiring the administrator of the U.S. Environmental Protection Agency (USEPA) to develop and publish water quality criteria that reflect the latest scientific knowledge regarding the effects of pollutants in any body of water.
- Section 313(a), requiring that federal agencies observe state and local water quality regulations.
- Section 401, which prohibits a federal agency from issuing a permit or license to conduct any activity that may result in any discharge into waters of the United States unless a state or authorized tribe where the discharge would originate issues a Section 401 water quality certification verifying compliance with existing water quality requirements or waives the certification requirement.
- Section 404, which establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands.
- Section 405 of the Water Quality Act of 1987 added to Section 402(p) to the CWA. Pursuant to Section 402(p)(4) of the CWA, the USEPA is required to promulgate regulations for NPDES permit applications for stormwater discharges.
- Safe Drinking Water Act, 40 U.S.C. 100 et seq, which sets limits on concentrations of pollutants in drinking water sources.

Federal Emergency Management Agency

FEMA oversees floodplains and manages the National Flood Insurance Program (NFIP). FEMA also prepares the FIRMs for communities participating in the NFIP. FIRMs delineate regulatory floodplains to assist communities with land use and floodplain management decisions, so that the requirements of the NFIP are met in the event of damaging floods. However, FEMA studies and maps are not necessarily an accurate, up-to-date reflection of all physical flood risk or hazards. County restrictions on development in floodplains require that incorporated cities, at a minimum, enforce the current federal floodplain management regulations as defined in the FEMA NFIP. The city participates in the NFIP and consults with the DWR Division of Flood Management, for support in obtaining the most current floodplain mapping information. This information includes FIRMs that identify regulated flood hazard zones, which are then used to assign risk and insurance rates for homeowners and businesses in the city.

U.S. Army Corps of Engineers

The U.S. Army Corps of Engineers (USACE) studies, constructs, and operates regional-scale flood protection systems in partnership with state and local agencies. Specific agreements between the USACE and its state and local partners on particular projects are used to define shared financial responsibilities and regulations that affect the local partners. Any work that is within USACE jurisdiction, which includes the Salinas River and its tributaries, requires permitting through USACE.

State

California Department of Fish and Wildlife

Any work that is within California Department of Fish and Wildlife (CDFW) jurisdiction requires permitting through CDFW. Section 1602 of the Fish and Game Code requires an entity notify the CDFW prior to commencing any activity that may substantially divert or obstruct the flow of any channel or bank.

California Department of Water Resources

DWR is the state agency that studies, constructs, and operates regional-scale flood protection systems, in partnership with federal and local agencies. DWR also provides technical, financial, and emergency response assistances to local agencies related to flooding.

FloodSAFE California is a strategic multifaceted program initiated by DWR in 2006. FloodSAFE is guiding the development of regional flood management plans, which encourage regional cooperation in identifying and addressing flood hazards. Regional flood plans include flood hazard identification, risk analyses, review of existing measures, and identification of potential projects and funding strategies. The plans emphasize multiple objectives, system resiliency, and compatibility with state goals and Integrated Regional Water Management Plans (IRWMP). DWR has the lead role to implement FloodSAFE, and works closely with state, federal, tribal, and local partners to help improve integrated flood management systems statewide. DWR's role is to advise and provide assistance as a resource to local jurisdictions as they pursue compliance.

Porter-Cologne Water Quality Control Act (1969)

The Porter-Cologne Water Quality Control Act mandates that Waters of the State shall be protected such that activities that may affect Waters of the State shall be regulated to attain the highest quality. The SWRCB is given authority to enforce Porter-Cologne Water Quality Control Act as well as Section 401 of the Clean Water Act and has adopted a statewide general permit that applies to almost all stormwater discharges. This general permit, which is implemented and enforced in the Paso Robles area, is implemented by the local Central Coast RWQCB and requires all owners of land where construction activity occurs to:

- Eliminate or reduce non-stormwater discharges to stormwater systems and other waters of the U.S.;
- Develop and implement a Stormwater Pollution Control Plan emphasizing stormwater best management practices (BMPs); and
- Perform inspections of stormwater pollution prevention measures to assess their effectiveness.

In addition, SWRCB regulations mandate a "non-degradation policy" for state waters, especially those of high quality. Under the authority of the SWRCB, the protection of water quality in the Salinas River and its tributaries is under the jurisdiction of the Central Coast RWQCB. The RWQCB establishes requirements prescribing the quality of point sources of discharge and establishes water quality objectives. These objectives are established based on the designated beneficial uses for a particular surface water or groundwater.

In accordance with the California Water Code, the Central Coast RWQCB developed a Basin Plan (last updated in June 2019) designed to preserve and enhance water quality and protect the

beneficial uses of all regional waters. Water quality objectives for the Central Coastal Basin satisfy state and federal requirements established to protect waters for beneficial uses and are consistent with existing statewide plans and policies.

Central Coast Regional Water Quality Control Board

Since 1990, regulations have increasingly emphasized the control of water pollution from non-point sources, which include stormwater systems and runoff from point-source construction sites and industrial areas. In California, the SWRCB issues a statewide General Permit to regulate runoff from construction sites involving grading and earth moving in areas over one acre. The Construction General Permit also applies to projects of less than one acre that are part of a larger plan of common development. The SWRCB has been designated by the USEPA to enforce requirements of the federal Clean Water Act, as part of the National Pollutant Discharge Elimination System (NPDES). The State Order[1] requires covered construction projects to use the "best available technology economically achievable," and the "best conventional pollution control technology." Each construction project subject to the Construction General Permit is required to have a Stormwater Pollution Prevention Plan (SWPPP) prepared. A SWPPP identifies likely sources of sediment and pollution and incorporates measures to minimize sediment and pollution in runoff water. These objectives are established based on the designated beneficial uses for the receiving water. Under Phase II of the NPDES, the County was required to seek coverage under SWRCB's General Permit for Municipal Separate Storm Sewer Systems (MS4s).

The protection of water quality within San Luis Obispo County is under the jurisdiction of the Central Coast RWQCB. The Central Coast RWQCB establishes requirements that prescribe the discharge limits and establish water quality objectives through the Water Quality Control Plan for the Central Coast Basin (Basin Plan; RWQCB 2019). Central Coast RWQCB Resolution R3-2013-0032, which outlines runoff reduction and treatment requirements, is applicable to the Project. Resolution R3-2013-0032 outlines stormwater management requirements for development projects in the Central Coast Region and defines four post-construction requirements to help maintain water quality and the hydrologic health of the watersheds. These requirements are based on the project's type, size, and regional location.

Sustainable Groundwater Management Act

During the recent drought (in 2014), the Legislature passed the Sustainable Groundwater Management Act (SGMA). The major function of this law was to establish a more uniform statewide program for sustainable management of groundwater resources by local agencies.

SGMA establishes a process and timelines for local agencies to achieve sustainable groundwater management in basins designated as medium or high priority by the DWR. Provisions in the law to accomplish this goal included:

- Requiring the development and reporting of data necessary to support sustainable management
- Allowing the state to develop and implement an interim sustainable groundwater management plan until local agencies can assume management of a basin or subbasin/subarea

[1] Construction General Permit: Water Quality Order #2009-0009-DWQ, as amended by Water Quality Orders #2010-0014-DWQ and #2012-006-DWQ.

- Granting the authority to local and regional agencies to develop and implement sustainable groundwater management plans

Specific deadlines for local agencies to manage groundwater basins under a groundwater sustainability plan (GSP) depend on the status of each basin, as defined in the prioritization by the DWR in Bulletin 118. For basins considered subject to critical overdraft, the plan adoption deadline is January 31, 2020. For basins designated as high or medium priority basins, the deadline is January 31, 2022. For other basins (low and very low priority), local agencies are encouraged to manage groundwater under a groundwater sustainability plan, but no specific mandate or deadline for management is established in the SGMA.

The SGMA did not alter existing proprietary rights to groundwater consistent with Section 1200 of the Water Code (addressing certain sub-surface flows associated with riparian waters), and did not affect groundwater in adjudicated basins. The SGMA also recognized the authority of local governments to manage groundwater consistent with their police powers (through local ordinances).

The Paso Robles Groundwater Basin has not been adjudicated. The Paso Robles Groundwater Basin is on the following accelerated timeline because it is identified as a high priority basin and identified by DWR as critically overdrafted (City of Paso Robles 2016):

- Local agencies must form local groundwater sustainability agencies (GSAs) by 2017;
- GSAs must prepare and adopt groundwater sustainability plans (GSPs) by 2020; and
- Once GSPs are adopted, GSAs must implement them and achieve sustainability within 20 years.

The Atascadero Area Subbasin is a very low priority basin and, therefore, not required to comply with SGMA. However, the Atascadero Area Subbasin GSA, of which the City of Paso Robles is a member, has decided to continue to proactively manage the subbasin groundwater resources and develop a GSP using grant funds provided by DWR. According to the WSA for the Project, the Atascadero Area Subbasin is not in overdraft, and can sustain the continued use of the onsite wells to supply offsite vineyard irrigation and onsite vineyard irrigation.

Local

City of Paso Robles

The protection of water quality in the Salinas River and its tributaries is under the jurisdiction of the RWQCB. The City also has the responsibility for regulating water quality under its NPDES MS4 permits program. The RWQCB establishes requirements prescribing the quality of point sources of discharge and establishes water quality objectives. These objectives are established based on the designated beneficial uses for a particular surface water or groundwater.

CITY OF PASO ROBLES GENERAL PLAN

The City addresses hydrology and water quality issues through implementation of adopted General Plan policies and programs within the Land Use Element and the Conservation Element. The goals and policies from the existing General Plan relate to protecting water quality and managing stormwater.

Land Use Element

The Land Use Element contains the following policy and action item related to stormwater management:

Policy LU-2K: Support Environmental Responsibility. Manage the natural landscape to preserve the natural beauty and rural identity of the community, which enhances ecological functions and maintains environmental and public health.

> **Action Item 1.** Require new development, either on public or private property, to mitigate its share of impacts from storm water on the natural environment through implementation of low impact design (LID) storm water management features.

Conservation Element

The Conservation Element contains the following policies and action items which define the local regulatory setting related to hydrology and water quality:

Policy C-1A: Water Source, Supply, and Distribution. Develop and implement various innovative water provision and conservation programs that help to ensure an adequate supply of water for the city.

> **Action Item 2.** Investigate and implement, if feasible, basin recharge programs through non-traditional methods. Such programs may include the following: storm drainage system design integrating LID features to reduce hydromodification from development and other improvements to recharge the ground water aquifer; developing/improving water recharge along historic drainage patterns along/adjacent to creeks and/or rivers; and/or developing recycled wastewater programs including basin recharge.
>
> **Action Item 3.** Maintain/update the Urban Water Management Plan and implement Best Management Practices (BMP) as feasible.
>
> **Action Item 4 .**Maintain an updated Water Master Plan and develop needed water production, treatment, storage and distribution facilities as part of the Capital Improvement Plan/Budget. As part of the Water Master Plan or Engineering Standards and Specifications, establish water service standards for new development to include, but not be limited to: minimum pressure; provision of two sources of water to subdivisions and large development projects; use of looped systems.
>
> **Action Item 5.** Maintain potable water quality via the following measures:
>
> a. Continue to monitor city water supplies wells for water quality requirements of the Department of Health Services and other regulatory agencies.
> b. Encourage minimization of applications of agricultural chemical fertilizers and pesticides and enforce conservative application of agricultural waters.
> c. Provide treatment and distribution systems needed to assure conveyance of potable water that meets all water regulations.
> d. Incorporate LID features with all development in compliance with the “Joint Effort” permit requirements to filter and clean storm water through natural systems before it enters surface and groundwater supplies.

Policy C1-C: Storm Drainage. Provide storm drain systems that efficiently and safely mitigate flood risk, while effectively managing storm water through implementation of LID features, so that downstream run-off is limited to pre-development volumes and velocity before it is conveyed to the Salinas River, Huerhuero Creek, and their tributaries.

Action Item 1. Maintain and update the Storm Water Master Plan. Implement, as feasible, recommended actions and BMPs described in the Master Plan.

Action Item 2. Establish revised development standards as may be appropriate, that include, but are not limited to, the following:

a. For large developments that feature substantial amounts of impervious surfaces, detain water flows to prevent overflow of waterways and inundation of developed areas.
b. Direct surface water runoff from developed areas to LID storm water features on the development site. The facilities should be designed to both mitigate flood flows while providing safe and efficient low-flow conveyance.
c. Maintain natural streams to provide, at minimum, flow capacity for 100-year storm conditions.
d. Conduct floodplain acquisition and promote groundwater recharge to preserve the floodway, protect riparian habitats and to enhance water resource, flood control projects and recharge programs to accommodate increased runoff from new development. These programs should be funded by developers, at rates proportional to the projected increase in runoff associated with their developments.

Safety Element

The Safety Element contains the following policy and action item related to flood hazards:

Policy S-1A: Hazard Education. Continue to inform the public about hazards, hazard avoidance, and disaster response

Action Item 2. Support volunteer training aimed at assisting police, fire, and civil defense personnel during and after a major earthquake, fire, or flood.

Policy S-1D: Structural Safety. Rely on the city's planning and building permit review process to ensure that existing and proposed structures are adequately designed, and to reduce susceptibility to damage from fire, flooding, and geologic hazards.

Action Item 3. Require structures identified as being located in hazardous areas to be brought into conformance with acceptable levels of risk.

Action Item 4. Discourage the locating of critical facilities within identified hazard areas.

Policy S-1G. Maintain the structural and operational integrity of essential public facilities during flooding by taking safe guards such as locating new facilities outside of flood zones or areas subject to localized flooding, and audit existing facilities in these areas to determine if building upgrades should be considered to reduce the potential for future flooding.

City of Paso Robles Stormwater Control

In fulfillment of federal and state clean water laws, the city has enrolled as a permittee under the SWRCB Waste Discharge Requirements for Small MS4s (Order No. 2013-0001-DWQ) and the NPDES General Permit No. CAS000004 (general permit). As required by this general permit, the City adopted its Stormwater Control ordinance, which regulates the entry of pollutants and non-

stormwater discharges into the city storm drain system. The requirements are set forth in Chapter 14.20, Storm Water Control, in the Paso Robles Municipal Code. The stormwater control ordinance contains a series of provisions to prohibit illicit discharges to the city storm drainage system, and to impose BMPs for other discharges to the system. The provisions applicable to the Project are summarized as follows:

- Construction activities must comply with the statewide general construction permit, which is applicable to construction sites of one acre or more.
- Any construction activity requiring a grading permit, regardless of size, must prepare and submit a site-specific erosion and sediment control plan.
- Industrial and commercial activities must comply with the statewide general permit for industrial activities.
- All new development must comply with the post-construction stormwater management requirements in Section V, Design Guidelines, of the City Public Works standard details and specifications. Those requirements reference the LID guidelines as developed by the Central Coast RWQCB or other performance standards that may superseded them.
- Land uses involving specific pollutant-generating activities identified in the Municipal Code must implement permanent and operation source control measures consistent with BMPs. Example activities include:
  - Parking areas
  - Landscape areas with outdoor pesticide use
  - Pools, spas, ponds, decorative fountains, and other water features
  - Fire sprinkler test water
  - Drain or wash water from boiler drain lines, condensate drain lines, rooftop equipment, drainage sumps, and other sources
  - Building and grounds maintenance

These requirements provide the City with the authority to enforce procedures intended to avoid and minimize the potential for surface water pollutants to enter the storm drain system, and the natural surface waters to which the system discharges. These procedures allow the City to comply with applicable state and federal law and to mitigate the potential water quality impacts from non-point source pollutants associated with land development.

The City of Paso Robles is also enrolled in the Phase II Municipal Stormwater Program as required by SWRCB. The program requires the City to develop and implement a Stormwater Management Plan (SWMP) to reduce or eliminate pollutants in stormwater runoff and non-stormwater discharges.

4.9.2 Impact Analysis

a. Methodology and Significance Thresholds

For the purposes of this analysis, relevant documents were reviewed, particularly the City of Paso Robles General Plan and documents related to hydrology and water quality associated with the Project site. A discussion of the Project's consistency with plans and policies and relevant CEQA significance criteria is provided below.

The Project has been analyzed with respect to potential impacts associated with hydrology and water quality by use of the environmental checklist questions included in Appendix G of the CEQA

Guidelines. If construction and/or operation of the Project would result in any of the following conditions, Project impacts could be considered potentially significant:

1. Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
2. Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
3. Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
   (i) result in substantial erosion or siltation on- or off-site;
   (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
   (iii) 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; or
   (iv) impede or redirect flood flows?
4. In flood hazard, tsunami, or seiche zones, would the Project result risk release of pollutants due to project inundation?
5. Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Potential impacts related to inundation by tsunamis or seiches are discussed in Section 4.15, *Effects Found Not to be Significant*. Refer to Section 4.14, *Utilities/Service Systems*, for a discussion of the Project's potential impact to groundwater resources and water supply.

b. Project Impacts and Mitigation Measures

Threshold 1:	Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
Threshold 3:	Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion or siltation on- or off-site; (iii) 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?
Threshold 5:	Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Impact HWQ-1 DURING PROJECT CONSTRUCTION, SURFACE SOIL WOULD BE SUBJECT TO EROSION WHICH MAY CAUSE POLLUTION OF THE DOWNSTREAM WATERSHED. THE PROJECT'S IMPACT ON WATER QUALITY DURING CONSTRUCTION WOULD BE CLASS II, SIGNIFICANT BUT MITIGABLE.

The Project would be developed incrementally and development of the site would be staged and driven by economic and market demands, with Project buildout anticipated to occur over a 15-year period, from 2020 to 2035.

Grading associated with construction of each phase of the Project would temporarily expose bare soil. Exposed soils would be at increased risk for erosion and could be carried into drainages on and downstream of the Project site by runoff or wind. Construction wastes, paving materials, heavy equipment fuels, lubricants and solvents, or products of incomplete combustion could also contribute to water pollution. Uncontrolled discharges of sediment and other pollutants could create temporary adverse effects to water quality in downstream surface waters, including the Salinas River. As previously stated, the Salinas River is currently impaired by chloride, sodium, turbidity, and pH.

Project construction would be phased over several years and portions of the Project site would be mass graded. Based on preliminary earthwork calculations, the Project would require the movement of approximately 635,700 cubic yards of earth with cut and fill being balanced on-site; therefore, no soil is anticipated to be imported to or exported from the Project site. Based on the site's existing topography and proposed pad elevations between 794 and 945 feet above mean sea level, runoff from exposed construction areas during storm events would flow from the Project site eventually to the Salinas River. Construction activities could impact hydrology by exposing disturbed ground to potential erosion and siltation, or by introducing pollutants such as oils, chemicals, sediments, and construction debris into the runoff. Construction activities could also pollute natural watercourses or underground aquifers. Some of the Project development would include grading and construction activities in close proximity or adjacent to existing ephemeral creeks on-site. The presence and use of large construction machinery within close proximity of creeks have the potential to result in a spill of fluids, such as oil, gasoline, and hydraulic fluids, which could be mobilized by stormwater runoff, resulting in potential adverse impacts to water quality. Refer to Section 4.4, *Biological Resources*, for additional discussion of potential runoff impacts within the creek to biological resources.

As discussed in Section 4.9.1.e, *Regulatory Setting*, the Central Coast RWQCB has established requirements that prescribe the discharge limits and establish water quality objectives through the Water Quality Control Plan for the Central Coast Basin. Water quality objectives for the Central Coastal Basin satisfy state and federal requirements established to protect waters for beneficial uses and are consistent with existing statewide plans and policies. Construction activities that disturb one or more acres of soil are required to comply with the NPDES program through preparation of a SWPPP, which outlines BMPs that would address construction-related runoff. The Project would be subject to construction-phase stormwater regulations and requirements in the Water Quality Control Plan for the Central Coast Basin, as previously described in Section 4.9.1.e, *Regulatory Setting*. Construction activity would be required to comply with the State's Construction General Permit (Order No. 2009-0009-DWQ). The Construction General Permit requires the development of a SWPPP be developed by a Qualified SWPPP Developer (QSD). To ensure implementation of SWPPP requirements, consistency with the Central Coast RWQCB's Water Quality Control Plan water quality objectives to preserve water quality and protect the beneficial uses, and to reduce polluted runoff and erosion and siltation as a result of the Project, mitigation would be required to avoid potentially significant impacts to water quality.

Mitigation Measures

Mitigation Measures HWQ-1(a) through HWQ-1(c) would be required to reduce impacts to water quality due to the potential for polluted runoff from construction activities.

HWQ-1(a) Stormwater Pollution Prevention Plan

All grading and construction activities shall be implemented pursuant to the SWPPP(s) to be prepared for mass grading/tract improvements on the Project site. The SWPPP(s) shall be prepared by the Project applicant and submitted by the city to the Central Coast RWQCB under the NPDES Phase II program. At a minimum, the SWPPP shall include the BMPs/source control measures and maintenance requirements included in the Preliminary Stormwater Control Plan for the Project.

Plan Requirements and Timing. The Project applicant shall prepare a SWPPP that identifies construction-related staging and maintenance areas, and at a minimum, the BMPs/source control measures and maintenance requirements included in the Preliminary Stormwater Control Plan. The SWPPP and notices shall be submitted for review and approval by the city prior to the initiation of tract improvements, grading, or construction.

Monitoring. The city shall ensure compliance with the SWPPPs. A Geotechnical Engineer or an Engineering Geologist shall monitor technical aspects of the grading activities, including installation of the drainage outlets and associated headwalls and aprons. The city shall also inspect the site during grading to monitor runoff and after conclusion of grading activities.

HWQ-1(b) Berms and Basins

As specified in the SWPPP(s), the Project applicant shall be required to manage and control runoff by constructing temporary berms, sediment basins, runoff diversions, or alternative BMPs as approved by the Central Coast RWQCB as part of the SWPPP submittal(s) to avoid unnecessary siltation into local streams during construction activities where grading and construction shall occur in the vicinity of such streams.

Plan Requirements and Timing. Berms and basins shall be constructed when grading commences. The Project applicant shall sufficiently document, to the Central Coast RWQCB's satisfaction, the proper installation of such berms and basins during grading.

Monitoring. City staff shall ensure berms, sediment basins, runoff diversions, or alternative BMPs are included on Project construction plans prior to approval. City staff shall also inspect the site during grading to monitor compliance with this measure.

HWQ-1(c) Erosion and Sediment Control Plan

As specified in the SWPPP(s) and the City's Stormwater Control ordinance, the Project applicant shall be required to prepare and submit site-specific erosion and sediment control plans for mass grading as well as for development of each development area within the Project site. The plans shall be designed to minimize erosion and water quality impacts, to the extent feasible, and shall be consistent with the requirements of the Project's SWPPP(s). The plans shall include the following:

a. Graded areas shall be revegetated with deep-rooted, native, non-invasive drought tolerant species to minimize slope failure and erosion potential. Geotextile fabrics shall be used as necessary to hold slope soils until vegetation is established;
b. Temporary storage of construction equipment shall be limited to a minimum of 100 feet away from drainages on the Project site;
c. Erosion control structures shall be installed;
d. Demonstrate peak flows and runoff for each phase of construction; and
e. Be coordinated with habitat restoration efforts, including measures to minimize removal of riparian and wetland habitats and trees (Mitigation Measures BIO-2[a], BIO-2[b], BIO-3[a] through BIO-3[c], BIO-4[a], and BIO-4[b]).

Erosion and sediment control plans shall be submitted for review and approval by City staff. The Project applicant shall ensure installation of erosion control structures prior to beginning of construction of any structures, subject to review and approval by the City.

Plan Requirements and Timing. The Project applicant shall prepare site-specific erosion and sediment control plans consistent with the requirements of the SWPPP(s). The erosion and sediment control plans shall be submitted for review and approval by City staff prior to the initiation of grading and/or construction.

Monitoring. City staff shall ensure compliance with the erosion and sediment control plans. City staff shall also inspect the site during grading to monitor runoff and after conclusion of grading activities.

Significance After Mitigation

Implementation of Mitigation Measures HWQ-1(a) through HWQ-1(c) would ensure that the potentially significant construction runoff and associated impacts to water quality would be reduced to a less than significant level.

Threshold 3:	Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; (iii) 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; or (iv) impede or redirect flood flows?

Impact HWQ-2 THE PROJECT WOULD ALTER THE EXISTING DRAINAGE PATTERN AND INCREASE IMPERVIOUS SURFACE AREA ON THE PROJECT SITE. HOWEVER, THE PROJECT WOULD NOT RESULT IN AN INCREASE IN POST-DEVELOPMENT PEAK RUNOFF FROM THE PROJECT SITE. PROJECT IMPACTS TO EXISTING DRAINAGE PATTERNS WOULD BE CLASS III, LESS THAN SIGNIFICANT.

As discussed in Section 4.9.1.a, *Project Site Characteristics*, runoff generally drains through the Project site from east to west via sheet flow and through several ephemeral streams that occur during heavy rain periods. Runoff ultimately flows towards South Vine Street, where it is collected in culverts, and conveyed under South Vine Street and U.S. Highway 101 for discharge into the Salinas River. According to the Preliminary Stormwater Control Plan (Appendix G), the Project would alter the existing drainage pattern on the Project site through mass grading, and would increase the impervious surface area by more than 22,500 square feet throughout the site. Thirty-six conceptual drainage management areas (DMAs) were identified for the Project area based on proposed grading and impervious areas. While it is anticipated that flows from proposed sidewalks and building frontages would be handled by self-retaining landscape areas, the impervious area of several of the DMAs was increased by a 10 to 20 percent factor to account for any additional impervious surfaces that may be incorporated into the site design at a later stage in site plan development. The DMAs for the Project site, and proposed structural stormwater control measure for each DMA are described in details in the Preliminary Stormwater Control Plan. This includes bioretention systems and pervious pavement with adequate capacities to store and retain the 95th percentile storm event on-site.

Several storm water detention basins have been designed throughout the Project site to control runoff rates and ensure that post-construction peak flows do not exceed pre-construction peak flows for the 2-year, 5-year, and 10-year storm events. Peak flow calculations were made using each of the four City of Paso Robles drainage culverts as references to ensure that peak flows would not have an adverse effect on existing public infrastructure (Fuscoe 2019b).

Hydrology peak-flow calculations were calculated for the 100-year storm event to validate the capacity of the proposed detention basins. The proposed condition 100-year storm peak flows leaving the Project site would not exceed the existing condition 100-year storm peak flows. A weir or outlet system or equivalent would also be designed for the Project to reduce proposed peak flows for the 2-, 5-, and 10-year storm events to equal or less than existing peak conditions (Fuscoe 2019b). Therefore, runoff conditions for the Project site would be similar to or improved from existing conditions with the Project.

The proposed drainage system for the Project would consist of water quality control features, storm inlets and drains, and bioretention basins throughout the Project site in each of the proposed development areas. Post-development flows would be detained to historic levels for the 100-year

event before discharging into the City's stormwater conveyance system and ultimately into the Salinas River. Therefore, the proposed drainage system and existing drainage facilities would meet applicable City requirements and would not result in an increase in post-development peak runoff from the Project site or alter the existing drainage pattern such that flows are substantially impeded or redirected. Project impacts to existing drainage patterns would be less than significant.

Mitigation Measures

This impact would be less than significant without the need for mitigation.

Threshold 1:	Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
Threshold 5:	Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Impact HWQ-3 DURING OPERATION, THE PROPOSED RESORT AND COMMERCIAL USES WOULD INCREASE THE QUANTITIES OF POLLUTANTS ASSOCIATED WITH URBAN USES. THE PROJECT'S IMPACT TO WATER QUALITY WOULD BE CLASS II, SIGNIFICANT BUT MITIGABLE.

After completion of each Project development phase, potential impacts to surface and groundwater may arise from two factors. First, the proposed development would result in an increase of impermeable surfaces (e.g., pavement, buildings) on the Project site, which would increase stormwater runoff and decrease the percolation of rainfall to groundwater. Second, the Project would result in an increase of people and vehicles on the Project site, and therefore would also increase the potential for release of pollutants and non-storm-related discharges that may pollute surface water and groundwater. However, the Project would be required to meet the Central Coast RWQCB regulations, which would be achieved by using a combination of LID design strategies and structural stormwater control measures, including source control BMPs. Wherever possible, natural systems would be preserved and natural retention and treatment of storm flows would be prioritized using a series of site design measures throughout the Project. The following measures from the Project-specific Preliminary Stormwater Control Plan (Fuscoe 2019b) would be implemented as part of the Project:

Reducing Impervious Surfaces

- Where feasible, interior roads serving only residential lots have had lane widths reduced to 10 feet from the standard 12-foot lane. Sidewalks have been eliminated from interior roads except where required to provide path of travel.
- Where feasible, pervious paving would be used to replace portions of asphalt paving throughout parking areas on the Project site.
- To reduce the Project footprint, all proposed resorts would be multi-level structures.

Promoting Sheet Flow to Vegetated and Landscaped Areas

- Grading has been designed to promote sheet flows and minimize concentrated flows to lined swales and pipes.
- Where possible, runoff would be directed to vegetated areas.

- Curb and gutter cuts would be installed, and, where possible, curbs and gutters would be eliminated entirely to allow surface runoff to flow to bioretention or vegetated areas and reduce flows to storm drain system.

Disconnecting from Storm Drain System

- Where feasible, roof drains would discharge to splash pads, rain barrels, or cisterns to promote potential reuse of stormwater and minimize connections to the storm drain system.
- Where possible, runoff would be directed to vegetated areas.

Promoting Groundwater Recharge

- Retention and infiltration of groundwater in vegetated and bioretention areas would be promoted.
- Where feasible, pervious paving would be utilized to promote infiltration of runoff at natural rates.

Minimize Grading

- The Project would be graded to follow natural contours where feasible, reducing grading impacts and preserving natural vegetation.
- Grading has been designed to minimize walls, which can concentrate stormwater flows.

In cases where further stormwater control is necessary, Structural Control Measures (SCMs) from the Project-specific Preliminary Stormwater Control Plan (Fuscoe 2019b) would be implemented. The following SCM features would be utilized throughout the Project area to treat the necessary storm water design capture volumes for each drainage management area (DMA):

Rain Gardens (Bioretention with Underdrain)

- Bioretention systems have been designed to retain and naturally filter and treat stormwater runoff through a combination of plants, media, and gravel filtration. All Project bioretention units would be equipped with an underdrain.

Pervious Pavement

- Pervious, or porous, pavement allows surface flows to infiltrate into the surface of the paved area, reducing surface runoff and promoting on-site infiltration of stormwater flows.

Proposed storm drain facilities would connect to, and become a part of, the existing City storm drain system.

The Project would also be required to manage stormwater treatment in accordance with the Central Coast RWQCB Resolution R3-2013-0032, which requires Central Coast municipalities to implement Post Construction Requirements to comply with the Statewide Phase II Municipal General Permit, as well as the City of Paso Robles Engineering Design Standards. The General Permit requires MS4s to develop and implement BMPs to reduce the discharge of pollutants and protect water quality.

As previously described, the Project would include bioretention structures and LID measures intended to minimize pollutants associated with runoff and sedimentation, consistent with state and local requirements, including new standards for LID set forth by SWRCB. Compliance with the

Central Coast RWQCB's Post Construction Requirements, NPDES discharge permits, and requirements of the City's Stormwater Control ordinance would reduce potential impacts to water quality due to polluted runoff during operation of the Project. Nonetheless, potential impacts to water quality resulting from runoff during operation of the Project would be potentially significant. Mitigation would be required for inclusion of locally-appropriate stormwater BMPs in the final design of the stormwater quality system, and to ensure that the stormwater quality system is maintained for long-term operation.

Mitigation Measures

Mitigation Measures HWQ-3(a) through HWQ-3(c) are required to reduce impacts to water quality due to polluted runoff during operation of the Project.

HWQ-3(a) Stormwater Quality Treatment Controls

BMP devices shall be incorporated into the stormwater quality system depicted in the erosion and sediment control plan (refer to Mitigation Measure HWQ-1[c]). BMPs shall include, at a minimum, the BMPs/source control measures and maintenance requirements included in Stormwater Control Plans. These measures include permanent and operation source control BMPs for landscaping, waste disposal, outdoor equipment storage, and parking.

Plan Requirements and Timing. The BMPs for stormwater quality shall be shown on Project SWPPP(s). The SWPPP and notices shall be submitted for review and approval by the city prior to the initiation of tract improvements, grading, or construction.

Monitoring. The city shall ensure compliance with the SWPPPs. A Geotechnical Engineer or an Engineering Geologist shall monitor technical aspects of the grading activities, including installation of the drainage outlets and associated headwalls and aprons. The city shall also periodically inspect the site during and after grading to monitor runoff.

HWQ-3(b) Stormwater Best Management Practice Maintenance Manual

The Project applicant shall prepare a development maintenance manual for the stormwater quality system/LID BMPs. The maintenance manual shall include detailed procedures for maintenance and operations of all stormwater facilities to ensure long-term operation and maintenance of post-construction stormwater controls. The maintenance manual shall require that stormwater BMP devices be inspected, cleaned, and maintained in accordance with the manufacturer's or designer's maintenance specifications. The manual shall require that devices be cleaned annually prior to the onset of the rainy season (i.e., October 15) and immediately after the end of the rainy season (i.e., May 15). The manual shall also require that all devices be checked after major storm events.

Plan Requirements and Timing. The Project applicant shall prepare development maintenance manual as specified in this measure. The development maintenance manual shall be submitted for review and approval by the city prior to approval of grading and public improvement plans.

Monitoring. The City shall ensure compliance with the requirements in the development maintenance manual as required by the state. The City may also inspect the site after occupancy to ensure implementation of the requirements in the development maintenance manual.

HWQ-3(c) Stormwater BMP Semi-Annual Maintenance Report

The property manager(s) or acceptable maintenance organization shall submit to the City of Paso Robles Public Works Department a detailed report prepared by a licensed Civil Engineer addressing the condition of all private stormwater facilities, BMPs, and any necessary maintenance activities on a semi-annual basis (October 15 and May 15 of each year). The requirement for maintenance and report submittal shall be recorded against the property.

Plan Requirements and Timing. The Project applicant shall demonstrate inclusion of BMPs within the tentative tract maps, and utilities plans, which shall be submitted for review and approval by the City prior to development plan approval and final tentative tract map recordation.

Monitoring. The City shall review and approve the required plans and maintenance report with tentative tract map approval.

Significance After Mitigation

Implementation of Mitigation Measures HWQ-3(a) through HWQ-3(c) as well as compliance with the Central Coast RWQCB's Post Construction Requirements, NPDES discharge permits, and requirements of the City's Stormwater Control ordinance would ensure that the potentially significant impacts to water quality resulting from pollutants from urban uses included in the Project would be reduced to a less than significant level.

Threshold 4:	In flood hazard, tsunami, or seiche zones, would the Project result risk release of pollutants due to project inundation?

Impact HWQ-4 THE PROJECT WOULD NOT PLACE ANY USES THAT COULD RESULT IN THE RISK OF RELEASING POLLUTANTS DUE TO INUNDATION IN A FLOOD HAZARD AREA, POTENTIAL IMPACTS DUE TO FLOOD HAZARDS AND WATER POLLUTION AS A RESULT OF FLOODING WOULD BE CLASS III, LESS THAN SIGNIFICANT.

A portion of the southeastern area of the Project site is located within the existing 100-year flood zone (Zone A). This area of the Project site would be preserved as undeveloped open space . No housing, roadways, or other buildings/structures included in the Project would be constructed within this 100-year flood zone area. Therefore, the Project would not place any uses that could result in the risk of releasing pollutants due to inundation in a flood hazard area. Potential impacts due to flood hazards and water pollution as a result of flooding would be less than significant.

Mitigation Measures

This impact would be less than significant without the need for mitigation.

4.9.3 Cumulative Impacts

Planned, proposed, and approved projects in and around the City (refer to Section 3.3, Cumulative Development) would expose surface water and groundwater quality to pollutants and could potentially expose people and/or property to flood hazards. The magnitude of water quality impacts and flood hazards for individual projects would depend upon the location, type, and size of development and the specific characteristics associated with individual sites. Specific water quality impacts and flood hazards associated with individual project sites have the potential to affect other areas. The Project, in combination with approved, pending, and proposed development within the

city, particularly projects located within the same watershed, would further contribute to the increase in development and associated water quality impacts, as well as alter the existing hydrologic environment, thereby altering the abundance and natural flow of water resources of the area. Although the Project and other planned/pending projects in the area may alter the abundance and flow of water resources of the same general area of the city, potential impacts would be disseminated into different watersheds, minimizing cumulative adverse effects to water and hydrology. Potential significant impacts would be mitigated on a case-by-case basis. Compliance with the Central Coast RWQCB's Post Construction Requirements, NPDES discharge permits, and requirements of the City's Stormwater Control ordinance would minimize potential cumulative hydrology and flood impacts. Cumulative development would result in a change from historical agricultural and undeveloped land uses to urban development and associated pollutant discharge to surface and groundwater. Construction activities could also result in the pollution of natural watercourses or underground aquifers. The types of pollutant discharges that could occur as a result of construction include accidental spillage of fuel and lubricants, discharge of excess concrete, and an increase in sediment runoff. Storm runoff concentrations of oil, grease, heavy metals, and debris would increase as the amount of urban development increases in the watershed. However, when properly implemented, water quality and stormwater control requirements of the Central Coast RWQCB, County of San Luis Obispo, and the City of Paso Robles would be expected to mitigate any adverse impacts resulting from new development. Therefore, the Project, in conjunction with pending cumulative development would not substantially increase the concentration of urban pollutants such as oil, grease, and vehicular heavy metals in surface runoff, or alter existing drainage pattern result in adverse impacts. Polluted runoff which may be generated during construction activities of cumulative development and projects considered in this analysis would be regulated by the SWRCB under the Construction General Permit and NPDES permits and would be minimized through the implementation of standard construction BMPs. Cumulative impacts would therefore be less than significant for water quality.

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4.10 Land Use and Planning

This section of the EIR considers the potential for the Project to result in impacts with regard to land use and planning.

This section provides a description of the existing conditions at the Project Site and surrounding area, a summary of the regulatory framework that guides the decision-making process, criteria to determine whether the Project would result in significant impacts, anticipated impacts (direct, indirect, and cumulative), mitigation measures, and level of significance after mitigation.

4.10.1 Setting

a. Existing Project Site Conditions

The Project site is currently located in the unincorporated area of the County of San Luis Obispo with General Plan land use categories of Residential Suburban (RS) and Agriculture (AG).While the Project site falls outside of the Paso Robles City limits, the site is in the City's General Plan Planning Impact Area, and included in the City's Purple Belt Action Plan and the Paso Robles Gateway Plan: Design Standards, as discussed in Section 4.10.2 below. In the County of San Luis Obispo General Plan (Inland Framework for Planning), the Project site and vicinity are within the Salinas River Sub-Area of the North County Area Plan (San Luis Obispo County October 2009). APNs 040-031-017, 040-031-019, and 040-031-020, on the Project site, are located within the Paso Robles Urban Reserve Line (URL). While not part of the City's 2013 Sphere of Influence (SOI) Update as approved by the San Luis Obispo Local Agency Formation Commission (LAFCO) on February 21, 2013, the property was noted in the Memorandum of Agreement (MOA) between the City of Paso Robles and the County of San Luis Obispo as a Special Area of Interest. This established the processes and procedures for the area. The MOA described that "the City and property owners, in consultation with the County anticipate that a land use plan and EIR will be prepared in the near future."

As detailed in Section 2, *Project Description*, the City of Paso Robles approved a hotel and ancillary facilities on the CENCO property, adjacent to the Project site. The approved CENCO hotel and ancillary facilities are not part of this project, but have been considered, where applicable, in the environmental analysis for purposes of addressing cumulative environmental effects.

The proposed Project entitlements include an amendment to the City's SOI, which must be approved by the San Luis Obispo LAFCO, annexation to the City of Paso Robles, as well as a General Plan amendment and pre-zoning the property to allow the proposed uses.

b. Regulatory Setting

This section summarizes federal, state, regional, and local land use plans and regulations that would apply to the Project.

State

California Government Code

Government Code Section 65300 requires that each county and city in the State of California adopt a comprehensive, long-term general plan. According to Government Code Section 65302, the general plan shall consist of a statement of development policies and include a diagram (or

diagrams) and text setting forth objectives, principles, standards, and plan proposals. The general plan must also address the following elements: land use, circulation, housing, conservation, open space, noise, safety, and environmental justice.

Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 grants authority to Local Agency Formation Commissions (LAFCO) within the state to approve or disapprove boundary changes of cities including annexations and SOI Amendments. The California Government Code requires LAFCO to determine that the city has the capacity to provide public services (Section 56425[e][3]). The City and County must agree on changes to the SOI (Section 56425[b]). In order to extend the city's SOI with an Annexation, the applicant will go through LAFCO for final approval (OPR February 2012: page 6-8).

Regional

San Luis Obispo Local Agency Formation Commission

A Local Agency Formation Commission (LAFCO) is a state agency that performs growth management functions, and has approval authority regarding the establishment, expansion, reorganization, and elimination of any city and most types of special districts. LAFCO establishes SOIs for cities and special districts that define the territory that LAFCO independently finds will represent the appropriate and probable future jurisdictional boundary and service area of the subject agency. The State legislature has prescribed a "uniform process" for boundary changes for both cities and special districts that is now embodied in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code Section 56000 et seq.). This Act delegates the legislature's boundary powers to local agency formation commissions (LAFCOs).

The San Luis Obispo LAFCO is responsible for reviewing and approving proposed jurisdictional boundary changes in San Luis Obispo County, including the annexation and detachment of territory to and/or from cities and most special districts, incorporations of new cities, formations of new special districts, and consolidations, mergers, and dissolutions of existing districts. In addition, LAFCOs must review and approve contractual service agreements, conduct service reviews, and determine SOIs for each city and district. In addition to the Cortese-Knox-Hertzberg Act, San Luis Obispo LAFCO has adopted local policies that it considers in its review of projects.

2019 Regional Transportation Plan/Sustainable Community Strategy

The 2019 Regional Transportation Plan (RTP), adopted by the San Luis Obispo Council of Governments (SLOCOG) in June 2019, is the current regional transportation plan for SLOCOG's planning area. The primary purpose of the 2019 RTP is to develop a fully intermodal transportation system that enhances the livability of the region. To this purpose, the plan delineates a set of regional transportation goals, policies, and actions. In addition, it integrates new requirements of SB 375 to address the interrelationship of transportation and land use policies and practices. The Sustainable Communities Strategy (SCS) included in the RTP describes the "2035 Preferred Growth Scenario" for the next 15+ years, as identified by the SLOCOG Board. This scenario is intended to decrease strain on natural resources, reduce the amount of travel and greenhouse gas (GHG) emissions, improve air quality, and promote public health by supplying more efficient options for transportation and housing. Consistent with the preferred growth scenario, a key strategy in the SCS is to focus new growth to existing corridors and communities.

Local

City of Paso Robles General Plan

The General Plan is the City's fundamental land use policy document of the City of Paso Robles to guide decisions through the year 2025 relative to the physical form and development of the City. The General Plan contains eight elements: Land Use (2014), Circulation (2011), Housing, (2014), Open Space (2003), Conservation (2003), Parks and Recreation (2003), Noise (2003), and Safety (2014). The physical changes envisioned by the General Plan are described primarily in the Land Use and Circulation Elements. The Housing Element, Open Space and Conservation Element, Park and Recreation Element, Noise Element, and Safety Element do not involve physical changes to the City, except to the extent that the policies of these elements are carried forward through the Land Use Element.

The Land Use Element establishes a planned land use pattern and long-range policies to guide growth within the City's corporate boundary and SOI. As part of a 1991 Land Use Element update, the City established the City's Planning Impact Area, which encompasses the maximum potential geographical boundaries to which the City could grow in the foreseeable future, as well as areas within which development could impact the City. The City has no jurisdictional authority over areas that are in the Planning Impact Area, but outside of the City limits. The Project site is located within the City's Planning Impact Area and outside of the City limits. The Land Use Element contains the following policy language regarding the Planning Impact Area:

GOAL LU-2: Image/Identity. Maintain/Enhance the City's Image/Identity

> **Policy LU-2F: Planning Impact Area (PIA).** Maintain and periodically update a Planning Impact Area (PIA) to indicate the maximum potential geographical boundaries to which the City may grow in the foreseeable future (within the 2003-2025 planning period and beyond), or areas within which development patterns would have an immediate impact upon the City, and identify land use categories that would be assigned if unincorporated land were annexed.
>
> > **Action Item 1.** Evaluate annexation requests for conformance with adopted General Plan goals, policies and action items (including the requirement that financing mechanisms or alternative measures be put into effect in order to ensure fiscal neutrality), as well as public infrastructure and service plans.
> >
> > **Action Item 2.** Continue to review and comment on planning efforts and development projects being considered by the County within the City's Planning Impact Area.

Zoning Ordinance of the City of El Paso de Robles

The purpose of the City's zoning ordinance is to promote the growth of the City in an orderly manner and to promote and protect the public health, safety, comfort, and general welfare. The zoning ordinance defines 25 zoning districts and overlays in the City, each of which establishes the general use, density, and type of development allowed in that area. All buildings, land use, or any type of physical development must comply with the regulations for each zoning district.

Paso Robles Purple Belt Action Plan

The Paso Robles Purple Belt Action Plan was adopted by the City in September 2009. The purpose of the Purple Belt Action Plan is to supplement the City's General Plan with the intent to create a basis for an eventual physical boundary for urban growth and development outside the current City

boundary. The term "purple belt" is synonymous with "green belt" but recognizes the primary agricultural use in Paso Robles as vineyards (Paso Robles November 2009; page 4).

Paso Robles Gateway Plan: Design Standards

The Paso Robles Gateway Plan: Design Standards (Gateway Design Plan) document serves as a design guide adopted by the City of Paso Robles to "…preserve and strengthen the unique image, identity and character of Paso Robles" through the identification of and establishment of design standards and guidelines for key "Gateways" to the City (Paso Robles August 2008: page 3). The Project is identified as a Town and Country Gateway in the Gateway Design Plan. The applicable Gateway Design Standards are described and evaluated in Section 4.1, *Aesthetics and Visual Resources*.

4.10.2 Impact Analysis

a. Methodology and Significance Thresholds

The potential for the Project to result in impacts related to land use and planning has been analyzed in relation to the questions contained in Appendix G of the *CEQA Guidelines*. The Project would have a significant impact with regard to land use and planning if the Project would result in one or more of the following conditions:

1. Physically divide an established community; and/or
2. 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.

Applicable policies from the San Luis Obispo County Air Pollution Control District (SLOAPCD) 2001 Clean Air Plan and the 2013 City of Paso Robles Climate Action Plan are discussed in Section 4.3, *Air Quality*, and 4.7, *Greenhouse Gas Emissions*.

b. Project Impacts and Mitigation Measures

Threshold 1: Would the Project physically divide an established community?

Impact LUP-1 THE PROJECT DOES NOT INCLUDE FEATURES OR A DEVELOPMENT PATTERN THAT WOULD DIVIDE AN ESTABLISHED COMMUNITY. THIS IMPACT WOULD BE CLASS III, LESS THAN SIGNIFICANT.

The Project site is currently located in the unincorporated area of the County of San Luis Obispo. The Project site is bounded by SR 46 West on the south, South Vine Street (frontage road) and U.S. 101 on the east, and scattered vineyard and residential uses on the north and west. Existing and past use of the Project site includes intermittent grazing and a non-irrigated, non-commercial orchard. The surrounding roadways separate the Project site from the developed areas farther to the east and south within the Paso Robles City Limits and neighboring community of Templeton. As proposed, the realignment of South Vine Street on the Project site would maintain access to the Project site, as well as to the southern adjacent CENCO property. Annexation of the Project site and roadways development associated with the Project would not divide any properties or established communities in the area. Access and traffic flow are anticipated to improve with the realignment of

South Vine Street included in the Project. Additionally, as described in Section 4.13, *Transportation/Traffic*, the Project would result in hotel and commercial development close to the existing highways, with transient lodging, agricultural, and open space uses proposed for development and/or preservation adjacent to the surrounding rural and agricultural lands to the north and west. The Project development pattern and associated infrastructure would not result in a significant impact with regard to physically dividing an established community.

Threshold 2:	Would the Project 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?

Impact LUP-2 THE PROJECT WOULD BE CONSISTENT WITH ALL APPLICABLE CITY POLICIES AND STANDARDS, LAFCO POLICIES FOR ANNEXATION, AND THE LAND USE STRATEGY IN SLOCOG'S 2019 REGIONAL TRANSPORTATION PLAN. THIS IMPACT WOULD BE CLASS III, LESS THAN SIGNIFICANT.

The City of Paso Robles General Plan is the principle tool the City uses when evaluating municipal service improvements and land use proposals. Land use decisions in the City are governed by the General Plan and must be consistent with the General Plan's direction. This discussion focuses on those goals and policies in the City's General Plan, standards in the Gateway Design Plan, and principles in the City's Purple Belt Action Plan, that relate to avoiding or mitigating environmental impacts. This discussion also includes an assessment of whether any potential inconsistency with these standards would create a significant physical impact on the environment. Only policies relevant and applicable to the project are included.

The requirements of the City's zoning ordinance, which implement the General Plan, do not apply to the project site because it is currently outside of the incorporated City. The proposed pre-zoning for the Project site is consistent with the proposed land use plan. Therefore, the Project would not conflict with any existing zoning standards.

Table 4.10-1 describes the project's preliminary consistency with applicable policies of the General Plan and Purple Belt Action Plan related to avoiding or mitigating environmental effects.

Table 4.10-1 Project Consistency with City Land Use Plans, Policies, and Regulations

Policy	Policy Text	Preliminary Statement of Consistency/Conflict
General Plan, Land Use Element Goals and Policies		
GOAL LU-1	Land Uses. Strive to maintain a balanced community, where the majority of residents can live, work, and shop.	Consistent. The Project provides for a mix of land uses, offering housing, employment, and shopping opportunities. Residents of the Project would have shopping and work opportunities on-site and in the surrounding community. Similarly, the Project may offer employment and shopping opportunities to the surrounding area.
Policy LU-1A	Provide an appropriate mix and diversity of land uses.	Consistent. The Project would be a mixed-use development including commercial, hotel/resort, agricultural, and open space uses.
GOAL LU-2	Image/Identity. Maintain/enhance the City's image/identity.	Consistent. The Project would be required to adhere to project-specific aesthetic design and construction standards adopted by the City to assure enhancement of the visual identity of the City.
Policy LU-2A	Citizen Participation. Foster citizen participation in the planning process.	Consistent. The Project would be required to adhere to CEQA and the City's land use entitlement process. The public would be engaged throughout the planning process.
Policy LU-2B	Visual Identity. Promote architectural and design excellence by imposing stringent design and construction standards for commercial, industrial, mixed-use, and multi-family projects.	Consistent. The Project would be required to adhere to project-specific aesthetic design and construction standards adopted by the City to assure enhancement of the visual identity of the City.
Policy LU-2D	Neighborhoods. Strive to maintain and create livable, vibrant neighborhoods and districts with: attractive streetscapes; a pedestrian friendly setting; coordinated site design, architecture, and amenities; adequate public and private spaces; and a recognizable and high quality design aesthetic.	Consistent. The Project would include up to 425 transient units, a maximum of 97 which may be permitted as dwelling units (80 resort residential units and 17 workforce housing units). Therefore, potential residential use would be a component of the Project. The hotel and commercial components would include pedestrian walkways with landscaping and amenities and a recognizable design aesthetic that would meet site-specific aesthetic design and construction standards provided by the City.
Policy LU-2E	"Purple Belt" (Open Space/Conservation Areas Around the City). Create a distinct "Purple Belt" surrounding the City by taking actions to retain the rural, open space, and agricultural areas.	Consistent. The Project is a mixed-use development that incorporates agricultural (vineyards) and open space, consistent with the principles outlined in the Purple Belt Action Plan.
Policy LU-2F	Planning Impact Area (PIA). Maintain and periodically update a Planning Impact Area (PIA) to indicate the maximum potential geographical boundaries to which the City may grow in the foreseeable future (within 2003-2005 planning period, and beyond), or areas within which development patterns would have an immediate impact upon the City, and identify land use categories that would be assigned if unincorporated land were annexed.	Consistent. The plans for the Project include the evaluation of the Planning Impact Area and the identification of appropriate land use categories that would be assigned to the site upon Project approval.

Policy	Policy Text	Preliminary Statement of Consistency/Conflict
Policy LU-2K	Support environmental responsibility. Manage the natural landscape to preserve the natural beauty and rural identity of the community, which enhances ecological functions and maintains environmental and public health.	Consistent. The Project would be developed to blend into the existing, natural landscape on the Project site to the extent feasible. Additionally, the Project would be required to incorporate landscaping, pursuant to the City's landscaping standards, into all developed areas. Through site design, architecture and landscaping the Project intends to maintain the rural identity of the community.
GOAL LU-4	Public Services and Facilities. Maintain/improve the quality of life enjoyed by residents.	Consistent. Public services and facilities are available to serve the Project, as addressed in Section 4.12*, Public Services and Recreation*.
Policy LU-4A	Service Levels. Strive to ensure that City services and facilities are maintained at current levels and/or adopted standards, and are funded as revenues become available. (*Abbreviated*)	Consistent. Public services and facilities are available to serve the Project, and impacts would be less than significant after mitigation, as described in Section 4.12*, Public Services and Recreation*.
General Plan, Circulation Element Goals and Policies		
GOAL CE-1	Establish a safe, balanced, efficient, and multimodal circulation system, focusing on the mobility of people, and preserving the City's small town character and quality of life.	Consistent. The Project does not conflict with this goal and supports multimodal circulation within the Project design.
Policy CE-1A	Circulation Master Plan. Revise/update the City's Circulation Master Plan to address mobility needs of all users of the streets, roads and highways including bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors as follows: ▪ Improve the circulation network on a prioritized basis; ▪ Provide adequate access for emergency vehicles and evacuation; ▪ Improve mobility through and access to Downtown Paso Robles by implementing City Council adopted Town center and Uptown Plans; ▪ Establish safe pedestrian and bicycle paths, for children and their parents to schools and other major destinations such as downtown, retail, and job centers; ▪ Maintain mobility for all modes by encouraging; flexible and off-set working hours, transit improvements; pedestrian and bikeway improvements; and public outreach as to the availability and benefit of alternative modes of travel; ▪ Require new development to mitigate its impact on the transportation network. ▪ Utilize roadways to achieve multiple environmental benefits through integration of Low-Impact Development stormwater management features in City streets.	Consistent. The Project would be consistent with the Circulation Master Plan identified in the General Plan Circulation Element by constructing the realignment of South Vine Street and continuing the bicycle lane along South Vine Street. The Project would not disrupt any City Disaster Response Plan and would include circulation routes that provide for emergency access to and from the site. The Project site is located along Route C of the City transit system, which provides regularly scheduled bus service along South Vine Street between downtown Paso Robles and the west side of Templeton to the south. Mitigation Measures AQ-1 would also address mobility needs of the city by requiring the Project to expand Paso Express Routes with new stops on the Project site or along South Vine Street, and by providing public transit amenities on the Project site to facilitate this expansion.

Policy	Policy Text	Preliminary Statement of Consistency/Conflict
Policy CE-1B	Reduce Vehicle Miles Traveled (VMT). The City shall strive to reduce VMT generated per household per weekday by making efficient use of existing transportation facilities and by providing direct routes for pedestrians and bicyclists through the implementation of sustainable planning principles.	Consistent. The Project would include several features that promote alternative forms of transportation. The Project site can accommodate transit stops, and the re-alignment of South Vine Street would help to improve transit service in the vicinity of the site. The realignment of South Vine Street would also involve retention and extension of the existing bicycle lane along this arterial. Although the existing South Vine Street has no sidewalks, the Project design includes installation of a pedestrian sidewalk along the east side of South Vine Street through the Project site.
Policy CE-1D	Transit. Improve and expand transit services.	Consistent. The Project site is located along Route C of the City transit system, which provides regularly scheduled bus service along South Vine Street between downtown Paso Robles and the west side of Templeton to the south. Mitigation Measures AQ-1 would require the Project to expand Paso Express Routes with new stops on the Project site or along South Vine Street, and provide public transit amenities on the Project site to facilitate this expansion, which would help to improve transit service in the vicinity of the site.
Policy CE-1F	Pedestrian and Bicycle Access. Provide safe convenient pedestrian and bicycle access to all areas of the city.	Consistent. The realignment of South Vine Street proposed with the Project includes retention and extension of the existing bicycle lane along this arterial. Although the existing South Vine Street has no sidewalks, the Project design includes installation of a pedestrian sidewalk along the east side of South Vine Street through the Project site.
General Plan, Housing Element Goals and Policies		
GOAL H-1	Develop a range of housing types, densities, and affordability levels to meet the diverse needs of the community, maintaining a balanced supply of ownership and rental units.	Consistent. The Project would include up to 425 transient units, a maximum of 97 which may be permitted as residential units (resort community and workforce housing). Therefore, potential residential use would be a component of the Project, which would diversify the range of housing types, densities, and affordability levels in the City of Paso Robles.
GOAL H-6	Design neighborhoods, subdivisions, sites, and housing units to effectively manage natural resources.	Consistent. The Project would effectively manage natural resources with the preservation of land for agricultural use and open space.
Policy H-6.1	Develop and redevelop neighborhoods and planning areas using compact urban forms that foster connectivity, walkability, alternative transportation modes.	Consistent. The Project design includes internal drives, walkways, and sidewalks to interconnect parking areas and developed areas, particularly in the Phase 1 portion of the Project. The Project also would develop community scale commercial uses within one-half mile of its transient lodging and potential residential (resort community) uses, and all internal roads would have a sufficient shoulder to accommodate bicycle traffic.

Policy	Policy Text	Preliminary Statement of Consistency/Conflict
Policy H-6.2	Investigate programs and methods that reduce energy consumption and effectively manage natural resources (air and water quality, primarily) for application to development of housing.	Consistent. The Project design would be consistent with building codes and energy efficiency standards for new development, including new residential development in addition to effectively managing natural resources.
General Plan, Parks and Recreation Element Goals and Policies		
GOAL PR-1	Optimize the use and development of parks and recreation facilities to serve the existing and projected population.	Consistent. Parks and Recreation facilities are available to serve the Project, as addressed in Section 4.12, *Public Services and Recreation*.
Policy PR-1A	Strive to achieve a 7-acre per 1,000 population parkland standard.	Consistent. As addressed in Section 4.12, *Public Services and Recreation*, the Project would not add community parkland to the city but would contribute city parkland development fees in accordance with the city's Development Impact Fee program to ensure the city has available funds to maintain and develop new parkland. Therefore, the Project would not cause a substantial demand to existing public parks and the Project may be required to set aside dedicated public parklands on-site as a condition of Vesting Tentative Map approval.
General Plan, Conservation Element Goals and Policies		
GOAL C-1	Utilities and Infrastructure. Ensure that public utilities, facilities, and services are designed to meet existing and planned land uses, and ensure that provisions are made for continued operation maintenance, and updates as necessary.	Consistent. Public utilities, facilities and services are designed to meet the planned land uses and would support the operational needs of the Project.
Policy C-1A	Water Source, Supply, and Distribution. Develop and implement various innovative water provision and conservation programs that help to ensure an adequate supply of water for the City.	Consistent. The city would provide water for the Project. The city purchases water from the Nacimiento Water Project to support urban water needs and existing groundwater from the Atascadero Subbasin would supply the agricultural land on the property compliant with use and levels determined by the City.
Policy C-1B	Sewer Service. Provide adequate wastewater conveyance and treatment facilities to serve all parcels in the City.	Consistent. The city's existing wastewater infrastructure would be extended to the Project site. The Project would not exceed the requirements of the Central Coast Regional Water Quality Control Board for wastewater treatment. The wastewater treatment plant has the capacity to serve the Project.
Policy C-1C	Storm Drainage. Provide storm drain systems that efficiently and safely mitigate flood risk, while effectively managing storm water through implementation of LID features, so that downstream run-off is limited to pre-development volumes and velocity before it is conveyed to the Salinas River, Huerhuero Creek, and their tributaries.	Consistent. New storm drainage facilities would comply with City policies and include low impact development to relieve the impact of built areas on the property.

Policy	Policy Text	Preliminary Statement of Consistency/Conflict
Policy C-1D	Solid Waste. Ensure that the City's landfill maintains sufficient capacity to serve the needs of the City through the year 2025.	Consistent. The Project would be subject to recycling and diversion programs in place throughout the City. The operation of this Project would comply with the City's goals to serve solid waste needs through 2025. As addressed in Section 4.14, *Utilities/Service Systems*, the Project would not increase solid waste generation in the City to exceed the Paso Robles Landfill maximum permitted throughput or remaining capacity, and would comply with all federal, state, and local regulations and diversion requirements pertaining to solid waste disposal.
GOAL C-2	Air Quality. Seek to maintain air quality by taking actions to reduce traffic congestion, vehicle miles traveled, and air pollutant emissions.	Consistent. Realignment of South Vine Street would reduce traffic congestion. The Project incorporates features to accommodate pedestrian and bicycle use, which would reduce vehicle miles traveled and air pollutant emissions.
Policy C-2A	Traffic Congestion Reduction. Implement circulation systems improvements to reduce congestion and associated air contaminant emissions.	Consistent. The realignment of South Vine Street would improve traffic conditions and relieve long-term congestion. The Project incorporates features to accommodate pedestrian and bicycle use, which would reduce vehicle miles traveled and air pollutant emissions.
Policy C-2B	VMT Reduction. Implement programs to reduce the number of vehicle miles traveled (VMT), especially by single occupant vehicles, including providing opportunities for mixed-use projects. (Note: The Circulation Element also addresses VMT reduction, but the Conservation Element is the one that specifically calls out the connection to air quality).	Consistent. The Project has several features that promote alternative forms of transportation to reduce VMT.
Policy C-2C	Emissions Reduction. Take steps to reduce creation of air contaminant emissions.	Consistent. During construction and operation, the Project would be required to implement SLOAPCD emissions control measures to reduce air contaminant emissions.
GOAL C-3	Biological Resources. As feasible, preserve native vegetation and protected wildlife, habitat areas, and vegetation, through avoidance, impact mitigation, and habitat enhancement.	Consistent. The Project would preserve native vegetation and protected wildlife, habitat areas, and vegetation to the extent possible, through avoidance, impact mitigation, and habitat enhancement. As addressed in Section 4.4, *Biological Resources*, the project would require Mitigation Measure BIO-1(a) through BIO-1(i), which would reduce impacts to special status species; Mitigation Measures BIO-2(a) and BIO-2 (b), which require a jurisdictional delineation to identify jurisdictional areas and compensate for impacts to riparian habitat; Mitigation Measures BIO-3(a) through BIO-3(c), which would avoid, minimize, and compensate for direct and indirect impacts to state or federally protected wetlands; and Mitigation Measures BIO-4(a) and BIO-4(b), which require avoidance and minimization measures for protected trees.

Policy	Policy Text	Preliminary Statement of Consistency/Conflict
Policy C-3A	Oak Trees. Preserve existing oak trees and oak woodlands. Promote the planting of new oak trees.	Consistent. The Paso Robles Oak Tree Preservation Ordinance requires any person wishing to remove one or more qualifying oak trees from any parcel in the City to apply in writing to the City Community Development Department for a Permit to Remove. The ordinance specifies the species subject to protection and replacement. The ordinance provides protection to oak trees of six-inch or greater diameter measured at 4.5 feet above ground level. The ordinance also establishes protection measures for qualifying oak trees near grading and development and requires planting of replacement trees in proportion to the tree(s) being removed. The Project preserved oak trees onsite to the extent feasible, but would require that oak trees in development areas on the site be removed. The Project would be required to comply with all requirements of the ordinance, including measures for oak tree preservation and compensatory mitigation for removed trees.
Policy C-3B	Sensitive Habitat. Incorporate habitats into project design, as feasible, including: oak woodlands, native grasslands, wetlands, and riparian areas.	Consistent. The project preserves oak trees to the extent feasible, and includes 16.6 acres of natural open space to preserve the largest of the stream habitats on the property. As addressed in Section 4.2, *Agriculture and Forestry Resources*, Mitigation Measure AG-1 requires at least 28.9 acres of irrigated vineyard to be recorded in a permanent agricultural/ conservation easement and the remaining acreage in the proposed Agricultural land use category (as shown on Figure 2-4 in Section 2, *Project Description*) to be used as additional vineyard or other agricultural use. A portion of this area would preserve most of the remaining stream habitat on the property.
GOAL C-5	Visual Resources. Enhance/Upgrade the City's appearance.	Consistent. The Project lies within a City-identified Town and Country Gateway and would preserve +/- 98 acres of agricultural use (vineyards) and open space uses, including along the western boundary of the Project site, accounting for approximately 58 percent of the Project site, which would preserve natural landmarks and views of natural features and maintain the generally natural and agricultural aesthetic of the site. As addressed in Section 4.2, *Agriculture and Forestry Resources*, Mitigation Measure AG-1 requires at least 28.9 acres of irrigated vineyard to be recorded in a permanent agricultural/ conservation easement and the remaining acreage in the proposed Agricultural land use category (as shown on Figure 2-4 in Section 2, *Project Description*) to be used as additional vineyard or other agricultural use.

Policy	Policy Text	Preliminary Statement of Consistency/Conflict
Policy C-5A	Visual Gateways and Landmarks. Identify important visual resources: gateways, corridors, major arterials, natural/open space areas, as shown in Table C-1 and Figure C-3. ▪ Table C-1. Important Visual Resources ▪ Gateways to the City [includes SR 46 West at US Highway 101] ▪ May be marked with entrance monument signs ▪ Limit range of land uses to preclude those commercial and industrial uses with outside processes and storage ▪ Development shall be designed to make a positive visual impression (in terms of design/architecture and landscaping) and incorporate/preserve natural features ▪ Billboards shall be limited in number, shall be located to preserve views of natural features ▪ Visual Corridors [both SR 46 West and US Highway 101] ▪ Development shall be designed to make a positive visual impression and incorporate/preserve natural features ▪ Billboards shall be limited in number, shall be located to preserve views of natural features ▪ Natural Landmarks and Open Space Viewsheds ▪ Oak-covered hillsides	Consistent. Both U.S. 101 and SR 46 West through the planning area are identified as visual corridors. SR 46 West, just west of U.S. 101 is designated as a Town and Country Gateway to the city. Table C-1 defines several other specific Natural Landmarks, such as the Salinas River and Huerhuero Creek and other specific views or vistas in the City. None of these specifically identified landmarks apply to the Project Site. As noted above, "Oak covered hillsides" are included in the list of Natural Landmarks. The specific mapping of Natural Landmarks in Figure C-3 of the Conservation Element does not include any designation beyond the corridor and gateway functions of the highways. Figure C-3 does include several Natural Landmark designations outside of the city Limits, in the hillsides west of the city, some areas within the city, and areas to the east of the city. The existing oak trees on the Project site are recognized by the city and Project applicant as notable and valued features of the landscape in the Project area. The Project has been designed to preserve oak trees on the Project site, to the extent feasible, and provide compensatory mitigation for any oak trees that area removed for the Project. Proposed open space/agricultural areas would be located along the entry points to the site to buffer views of structural development on the site, and stormwater basins would be designed to preserve views of the natural features on the site.
Policy C-5B	Hillsides. Protect hillsides as a visual amenity, by implementing design standards that call for: ▪ Decreasing density as slope increases; ▪ Limiting the amount of grading; ▪ Providing substantial amounts of landscaping; ▪ Incorporating architectural treatment that enhances the form of the hillside rather than conflicting with it; ▪ Limiting the number of building sites that may be placed on prominent ridgelines; ▪ Preventing development of new buildings that Project above the ridgeline unless adequately mitigated with landscaping; ▪ Ensuring sensitive design of development on steep slopes, and on the crest of major ridgelines, shown on Figure C-4. Considerations for development on steep slopes shall include the following: ▪ Avoid slope stability hazards by restricting development on slopes of 35 percent or greater. ▪ Site-specific visual assessments (with and without the Project) to thoroughly evaluate the visual	Consistent. Prominent ridgelines defined in the Conservation Element lie in and adjacent to the City but none of those ridgelines are located on the Project Site. The nearest is the north-south ridgeline west of the downtown area, which extends to the high, steep hillside outside the northern boundary of the Project just west of U.S. 101. Performance standards in the proposed Gateway Agricultural District zone address development that may affect views of the lower hillsides on the property. The Project would conform to design standards determined by the City to protect the visual integrity of hillsides and comply with standards for development on slopes.

Policy	Policy Text	Preliminary Statement of Consistency/Conflict
	effects of development proposals on slopes of 30 percent or greater. For new development located on ridges and hills consider providing a substantial building setback from the edge of the downhill slope and/or screening landscaping, where the slope exceeds 15 percent.	
GOAL C-6	Cultural Resources. Strive to preserve/protect important historic and archeological resources.	Consistent. No known historic or archaeological resources would be affected by the project. During construction and grading a qualified historical archeologist would be available to respond to the discovery of any subsurface resources historical or archeological resources.
Policy C-6B	Archaeological Resources: Strive to preserve/protect "unique archaeological resources" as defined by the California Environmental Quality Act.	Consistent. There are no unique archeological resources defined by CEQA identified on the property.
GOAL C-7	Energy Conservation. Encourage the conservation of energy resources.	Consistent. The Project would implement energy conservation measures consistent with Title 24 and the City's Municipal Code.
Policy C-7A	Conservation Measures. Investigate and implement as feasible, energy conservation measures.	Consistent. The Project would implement all feasible energy conservation measures. As addressed in Section 4.15, *Energy*, the Project would comply with the 2019 California Building Energy Efficiency Standards for Residential and Non-residential Buildings and CALGreen (California Code of Regulations Title 24, Parts 6 and 11) or later versions, which are anticipated to be more stringent than the 2019 codes. The 2019 standards require the provision of electric vehicle supply equipment, water-efficient plumbing fixtures and fittings, recycling services, solar on low-rise residential development, solar-readiness on commercial development, and other energy-efficient measures that would reduce the potential for the inefficient use of energy.
General Plan, Open Space Element Goals and Policies		
GOAL OS-1	Preserve/expand the amount and quality of open space in and around Paso Robles.	Consistent. A substantial portion of the Project site is planned to remain in open space.
Policy OS-1A	Open Space/Purple Belt. Develop an open space plan/program for establishing an open space/ purple belt (agricultural preserve area) surrounding the City.	Consistent. The Project would implement the City's Purple Belt Action Plan in the southwestern portion of the City by designating agricultural and open space areas on the Project site and locating tourist-serving and commercial uses along the South Vine Street and U.S. 101 corridor. Therefore, the Project is consistent with the Paso Robles Purple Belt Action Plan.

Policy	Policy Text	Preliminary Statement of Consistency/Conflict
General Plan, Noise Element Goals and Policies		
GOAL N-1	Minimize exposure to noise and generation of noise.	Consistent. The Project would adhere to City requirements for minimizing exposure to noise and generation of noise.
Policy N-1A	Noise Minimization. New development shall be designed to comply with the maximum, allowable Noise Exposures of 65 dB CNEL for outdoor activities (except for parks); and 45 dB CNEL for indoor activities. Noise measurement (dB Ldn or CNEL) is calculated using a daily average that takes into account the time of day the noise occurs. Sounds occurring at night are weighted to more heavily.	Consistent. The Project would be required to comply with the city's interior and exterior noise standards and minimize noise to the extent possible. Mitigation Measures N-1 and N-2, requiring assessment and implementation of exterior noise abatement and application of construction equipment noise best management practices, would also be required for the Project to meet city standards and minimize potential noise impacts to a less than significant level.
General Plan, Safety Element Goals and Policies		
GOAL S-1	Minimize exposure to natural and manmade hazards.	Consistent. The Project would be constructed in compliance with all local and State building standards to minimize exposure to and risks associated with natural and manmade hazards.
Policy S1-B	Disaster Response. Develop a community-wide Disaster Response Plan to: Address heavy search and rescue, major medical response, hazardous material response, interim morgue, emergency shelter, traffic and utility impacts, and debris removal and disposal; and Identify procedures for access, traffic control, emergency evacuations, and security of damaged areas.	Consistent. The Project would not disrupt any City Disaster Response Plan and would include circulation routes that provide for emergency access to and from the site. As addressed in Section 4.8, *Hazards and Hazardous Materials*, Mitigation Measure HAZ-2 requires implementation of a construction traffic control plan during grading and construction to ensure continuous access for adjacent properties and emergency vehicle operations.
Policy S1-C	Hazardous Exposure Minimization. Minimize Hazards to people and property caused by fire, crime, and related services.	Consistent. The Project would be required to comply with the California Fire Code and standard Paso Robles Fire Department requirements, ensuring that impacts related to wildfires and wildland fire hazards would be less than significant. The Project applicant would also be required to pay the city's CFD Special Tax at a rate determined by the city's Fiscal Impact Report, which funds additional staff and facilities as needed, to offset the increased demand for fire and police services.
Policy S1-D	Structural Safety. Rely on the City's planning and building permit review process to ensure that existing and proposed structures are adequately designed, and to reduce susceptibility to damage from fire, flooding, and geologic hazards.	Consistent. The Project would go through the City's planning and building permit review process to ensure that existing and proposed structures are adequately designed, and to reduce susceptibility to damage from fire, flooding, and geologic hazards.
Policy S-1-E	Hazardous Materials. The City shall comply with Government code requirements regarding the use, storage, and transportation of hazardous materials.	Consistent. The Project would comply with all federal, state, and local requirements regarding the use, storage, and transportation of hazardous materials.
Policy S-1-F	EMF Exposure. State or Federal electric or magnetic exposure levels and setbacks, if established, are to be followed.	No Conflict. The Project would comply with any applicable EMF exposure levels and setbacks.

Policy	Policy Text	Preliminary Statement of Consistency/Conflict
Paso Robles Gateway Plan: Design Standards, Town and Country Gateway N. Highway 46 West		
2.	Where possible, develop a frontage road along the highway, so that new buildings front the highway with primary pedestrian and visitor access to the buildings taken from that frontage road and its curbside parking.	Consistent. The Project would maintain the existing frontage road access provided by South Vine Street, by preserving the roadway, in a different alignment, with development of the Project site.
3.	Apply the T2 [rural] design standards for thoroughfares, frontage and building types for proposed development along Highway 46 West. Work with the County to ensure that such standards are applied uniformly to all development regardless of which jurisdiction it falls within.	Consistent. The T2 [rural] design standards for thoroughfares, frontage and building types for proposed development along SR 46 West would be applied.
4.	Building facades and rooflines should be articulated to avoid long expanses of monotonous building massing. When buildings are built on existing sloping terrain, techniques such as stepped foundations should be used. Landscaping should be utilized to screen the transition areas between the buildings and the existing terrain.	Consistent. Building facades and rooflines would be articulated to avoid long expanses of monotonous building massing. When buildings are built on existing sloping terrain, techniques such as stepped foundations would be used. Landscaping would be utilized to screen the transition areas between the buildings and the existing terrain.
5.	The value of the hillsides to the community will be substantially increased if "hillside buildings and other onsite development features" are built on the hillsides rather than carving the hills into pads so that "flatland buildings' can be constructed on the hills. Development should be designed so that it conforms to the existing topography. For instance, this would require buildings on sites with sloping topography to be designed with stepped or raised foundations, minimizing grading, and only allowing grading that would result in natural appearing landforms (e.g. contour grading), not exceeding a 5:1 slope. Pad grading should be discouraged. Areas that require flat pads such as parking lots, swimming pools, courtyards, tennis courts, etc., should be generally located behind buildings and designed in smaller, tiered parking fields, and be very carefully screened with drought tolerant landscaping or other suitable materials so that they are not visible from the roads. All manufactured slopes should incorporate contour, natural appearing grading techniques and should be landscaped with appropriate landscaping materials to completely cover or screen the slopes. The top edge of slopes should be rounded and the edges of the slopes should blend into the existing terrain as much as possible.	Consistent. The Project would involve development throughout the Project site, including on hillsides on the site. As shown in the grading slope profiles, the proposed grading has been designed to retain the existing topography of the Project site where feasible, while creating tiered pads that would facilitate planned urban development. The proposed grading would require balancing large quantities of cut and fill soil but would retain the general topographic characteristics of the Project site (maximum and minimum mean sea level [msl]. Development would be designed so that it conforms to the existing topography to the extent feasible.

Policy	Policy Text	Preliminary Statement of Consistency/Conflict
6.	In selected areas that are relatively flat it may be possible to develop denser ": village centers" without significant grading. Outside such centers, buildings and site improvements shall be based substantially on the palette of forms and materials prescribed for the T2 zone.	Consistent. The property is designed to develop denser "village centers" in focused areas, with major Project components sited on the natural pads and forms of the varied topography throughout the Project site. By using the natural form of the site to the extent feasible, grading is minimized. The project would still involve large quantities of cut and fill material, but materials would be balanced from the Project site and no soil import or export would be required. . The buildings and site improvements would comply with the palette of forms and materials prescribed for the T2 zone.
Paso Robles Purple Belt Principles		
1	The Purple Belt Program will maintain the City's community character and way of life, while also recognizing the need to accommodate additional urban development.	Consistent. The Project is a rural development that would be required to adhere to project-specific aesthetic design and construction standards adopted by the City.
2	The Purple Belt Program will support the continuation of agriculture and ranching.	Consistent. The Project would include an agricultural component – vineyards. This agricultural component, coupled with the open space, constitute a majority of the Project site plan.
3	Landowner participation in the Purple Belt program will be strictly voluntary.	Consistent. The Project would provide agricultural uses (vineyards), which would be assured through the proposed pre-zoning to the Gateway Agricultural District as part of development entitlement.
4	The Purple Belt Program will provide additional options to landowners interested in maintaining their land in agriculture in perpetuity, including opportunities to sell, donate, or transfer their development rights in exchange for cash, tax credits, and/or other benefits.	Consistent. The agricultural-open space areas of the project would be preserved through easements in perpetuity, as a component of the Project approval in the City of Paso Robles.
5	The City will explore a variety of funding mechanisms to help support the program.	Consistent. This Project would not hinder any City exploration of funding mechanisms to support the Purple Belt Program.

As shown in Table 4.10-1, the project would be consistent with all applicable City General Plan policies, Gateway Design Plan standard, and Purple Belt Action Plan principles.

The San Luis Obispo LAFCO is responsible for reviewing and approving proposed jurisdictional boundary changes in San Luis Obispo County, including the City's proposed annexation of the Gateway property from the County. In addition to the requirements of the Cortese-Knox-Hertzberg Act, the San Luis Obispo LAFCO has adopted local policies that it considers in its review of projects. LAFCO policies applicable to the project pertain to the location of land to be annexed, affordable housing, agricultural resources, and public services. San Luis Obispo LAFCO policies encourage cities to annex unincorporated islands, urban development within cities, and proposals that are supported by a community's long-range vision for its growth and development. Table 4.10-2 discusses the Project's preliminary consistency with applicable LAFCO policies related to City annexations and SOI review.

Table 4.10-2 Project Consistency with LAFCO Policies and Procedures

Policy	Policy Text	Preliminary Statement of Consistency/Conflict
LAFCO Policies and Procedures, 2.3 City Annexations		
2.3.1.	The boundaries of a proposed annexation must be definite and certain and must conform to lines of assessment whenever possible.	Consistent. The proposed annexation line is coterminous with the Project site boundary. It is adjacent to the Paso Robles City Limit, and conforms to tax assessor parcel boundaries.
2.3.2.	The boundaries of an area to be annexed will not result in any areas difficult to serve.	Consistent. The Project site is a contiguous area of 170 acres that is adjacent to the Paso Robles City Limits. There are no major barriers or limitations that would result in portions of the site being more difficult to serve.
2.3.3.	There is demonstrated need for governmental services and controls in the area proposed for annexation.	Consistent. The Project Site, vacant and used for grazing, is currently served by County of San Luis Obispo governmental services. While not part of the City's 2013 SOI Update as approved by the San Luis Obispo LAFCO on February 21, 2013, the property was noted in the Memorandum of Agreement (MOA) between the City of Paso Robles and the County of San Luis Obispo as a Special Area of Interest. As addressed in Section 4.12, *Public Services and Recreation*, upon annexation to the city, the Project site would be primarily served by city governmental services.
2.3.4.	The municipality has the resources capable of meeting the need for services in the area proposed for annexation and has submitted studies and information documenting its ability to serve.	Consistent. The individual environmental impact sections of this EIR provide evidence and analysis of the City's capability to provide the necessary resources (see Section 4.12, *Public Services and Recreation*, and Section 4.15, *Utilities/Service Systems*) to the Project.
2.3.5.	There is mutual social and economic community of interest between the residents of the municipality and the proposed territory.	Consistent. There are currently no residents within the proposed territory to be annexed (Project site); nonetheless, no issues with the Project that would result in a conflict of social or economic interests are known at this time. Additionally, the Project would provide City-desired improvements (e.g., South Vine Street realignment), increased tax revenues to the City, and development fees, which also compensate for municipal services, and would support local tourism to the benefit of the City's economy.

Policy	Policy Text	Preliminary Statement of Consistency/Conflict
2.3.6.	The proposed annexation is compatible with the municipality's general plan. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.	Consistent. No conflicts with the Project and the City's General Plan policies, with the proposed annexation, SOI amendment, General Plan amendment, and rezoning of the Project site have been identified. The Project site is located adjacent to the Paso Robles City Limits. The conceptual site plan provides realignment of South Vine Street to better serve surrounding properties and relieve identified traffic issues in the vicinity of the site. All public services and utilities are located adjacent to or in close proximity to the site, avoiding costly long-distance extensions of service lines or boundaries. Therefore, the proposed annexation would provide a logical and reasonable expansion of the City of Paso Robles.
LAFCO Policies and Procedures, 2.6 Sphere of Influence Review Policies		
1.	LAFCO intends that its Sphere of Influence determination will serve as a master plan for the future organization of local government within the County. The spheres shall be used to discourage urban sprawl and the proliferation of local governmental agencies and to encourage efficiency, economy, and orderly changes in local government.	Consistent. The Project development is adjacent to the existing City boundary, creating an orderly extension and pattern of development. The realignment of South Vine Street provides for improved traffic flow and geometrics (e.g., improved lines of sight, improved distance between intersections, and reduced local emissions from vehicle idling). It also provides access between the site and into surrounding Paso Robles. In addition, all public services and utilities are located adjacent to or in close proximity to the site and can be provided efficiently, avoiding costly long-distance extensions of service lines or boundaries.
2.	The Sphere of Influence lines shall be a declaration of policy which shall be a primary guide to LAFCO in the decision on any proposal under its jurisdiction. Every determination made by the Commission shall be consistent with the spheres of influence of the agencies affected by those determinations.	Consistent. Implementation of the Project would not occur without appropriate LAFCO review and approvals.
3.	No proposal which is inconsistent with an agency's adopted Sphere of Influence shall be approved until the Commission, at a notices public hearing, has considered an amendment or revision to that agency's Sphere of Influence.	Consistent. Implementation of the Project would not occur without appropriate LAFCO review and approval.

Policy	Policy Text	Preliminary Statement of Consistency/Conflict
4.	The adopted Sphere of Influence shall reflect city and county general plans, growth management policies, annexation policies, resource management policies, and any other policies related to ultimate boundary area of an affected agency unless those plan or policies conflict with the legislative intent of the CKH Act (Government Code Section 56000 et seq.) Where inconsistencies between plans exist, LAFCO shall rely upon that plan which most closely follows the legislature's directive to discourage urban sprawl, direct development away from prime agricultural land and open space lands, and encourage the orderly formation and development of local governmental agencies based upon local conditions and circumstances. In accordance with the CKH Act a municipal service review shall be conducted prior to the update of a jurisdiction's Sphere of Influence. The service review is intended to be a basis for updating a jurisdiction's Sphere of Influence.	Consistent. A portion of the Project Site (about one-quarter) is within the County-designated Paso Robles Urban Reserve Line. The entire Project Site is within the City's General Plan Planning Impact Area. The U.S. 101/SR 46 West interchange is designated RC (Regional Commercial) and RS (Residential Suburban). The Project would replace the RS area with the new Gateway Agricultural District zone – preserving the majority of this land as permanent agriculture and open space. The Project would also incorporate significant areas of agricultural uses (vineyards) into the RC area. Implementation of the Project would not occur without City review and approval (e.g., General Plan amendment and pre-zoning and LAFCO review and approval, including preparation of a municipal service review).
5.	LAFCO will designate a Sphere of Influence line for each local agency that represents the agency's probable physical boundary and includes territory eligible for annexation and the extension of that agency's services within a twenty-year period.	Consistent. Implementation of the Project would not occur without appropriate LAFCO review and approval.

Policy	Policy Text	Preliminary Statement of Consistency/Conflict
6. a-e	LAFCO shall consider the following factors in determining an agency's Sphere of Influence: Present and future need for agency services and the service levels presented for the subject area in applicable general plans, growth management plans, annexation policies, resource management plans, and any other plans or policies related to an agency's ultimate boundary and service area (CKH 56425 (e)(1)). Capability of the local agency to provide needed services, taking into account evidence of resource capacity sufficient to provide for internal needs and urban expansion (CKH 56425 (e)(2)). The existence of agricultural preserves, agricultural land and open space lands in the area and the effect that inclusion within a Sphere of Influence shall have on the physical and economic integrity of maintaining the land in non-urban use (CKH 56426.5 (a)). Present and future cost and adequacy of services anticipated to be extended within the Sphere of Influence. Present and projected population growth, population densities, land uses, and area, ownership patterns, assessed valuations, and proximity to other populated areas. The agency's capital improvement or other plans that delineate planned facility expansion and the timing of that expansion. Social or economic communities of interest in the area (CKH 56425 (e)(4)). For an update of a Sphere of Influence of a city or special district that provided public facilities or services related to sewers, municipal and industrial water, or structural fire protection, a written determination regarding the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing Sphere of Influence shall be prepared.	Consistent. Implementation of the Project would not occur without appropriate LAFCO review and approval, including the municipal services review report. The Project site (area of annexation) is in the City's Planning Impact Area and is adjacent to Highway 101 and Highway 46. The Project provides a path for the realignment of South Vine Street, and important improvement identified in the City's Circulation Element that would reduce congestion at the intersection of U.S. 101 and SR 46 West. The City limits and all public services and utilities are located adjacent or in close proximity to the site, avoiding costly long-distance extensions of service lines or boundaries. The Project incorporates both urban and agricultural uses (vineyards) that would facilitate a gentler transition between the existing agricultural uses in the County and the planned urban uses in the City. The Project does not propose dense urban development. There are no known issues with the Project that would result in a conflict of social or economic interests. The Project would also provide City-desired capital improvements (e.g., South Vine Street realignment), increased tax revenues to the City, and development fees, which also compensate for municipal services.
8.	LAFCO may adopt a zero Sphere of Influence encompassing no territory for an agency. This occurs if LAFCO determines that the public service functions of the agency are either nonexistent, no longer needed, or should be reallocated to some other agency of government. The local agency which has been assigned a zero Sphere of Influence should ultimately be dissolved.	Consistent. Implementation of the Project would not occur without appropriate LAFCO review and approval.

Policy	Policy Text	Preliminary Statement of Consistency/Conflict
9.	Territory not in need of urban services, including open space, agriculture, recreational, rural lands, or residential rural areas shall not be assigned to an agency's Sphere of Influence unless the area's exclusion would impede the planned, orderly and efficient development of the area.	Consistent. Implementation of the Project would not occur without appropriate LAFCO review and approval. The Project Site is currently served by County of San Luis Obispo governmental services. While not part of the City's 2013 SOI Update as approved by the San Luis Obispo LAFCO on February 21, 2013, the property was noted in the MOA between the City of Paso Robles and the County of San Luis Obispo as a Special Area of Interest. As addressed in Section 4.12, *Public Services and Recreation*, upon annexation to the city, the Project site would be primarily served by city governmental services. The proposed open space is intended to supplement the developed uses of the Project and to implement the city's Purple Belt Action Plan in the southwestern portion of the city by designating agricultural and open space areas along the western boundary of the Project site.
10.	LAFCO may adopt a Sphere of Influence that excludes territory currently within that agency's boundaries. This occurs where LAFCO determined that the territory consist of agricultural lands, open space lands, or agricultural preserves whose preservation would be jeopardized by inclusion within an agency's Sphere of Influence. Exclusion of these areas from an agency's Sphere of Influence indicated that detachment is appropriate.	Consistent. Implementation of the Project would not occur without appropriate LAFCO review and approval.
11.	Where an area could be assigned to the Sphere of Influence of more than one agency providing needed service, the following hierarchy shall apply dependent upon ability to serve: ▪ Inclusion within a municipality Sphere of Influence. ▪ Inclusion within a multipurpose district Sphere of Influence. ▪ Inclusion within a single-purpose district Sphere of Influence. In deciding which of two or more equally capable agencies shall include an area within its Sphere of Influence, LAFCO shall consider the agencies' service and financial capabilities, social and economic interdependencies, topographic factors, and the effect that eventual service extension will have on adjacent agencies.	Consistent. Implementation of the Project would not occur without appropriate LAFCO review and approval. The City would provide the requisite municipal services review report for LAFCO consideration.

Policy	Policy Text	Preliminary Statement of Consistency/Conflict
12.	Sphere of Influence boundaries shall not create islands or corridors unless it can be demonstrated that the irregular boundaries represent the most logical and orderly service area of an agency.	Consistent. The Project site is adjacent to the current Paso Robles city limits, and all public services and utilities are located adjacent to or in close proximity to the site. While not part of the City's 2013 SOI Update as approved by the San Luis Obispo LAFCO on February 21, 2013, the property was noted in the Memorandum of Agreement (MOA) between the City of Paso Robles and the County of San Luis Obispo as a Special Area of Interest. The site is also included in the City's General Plan Planning Impact Area. Accordingly, the site is a logical and anticipated area for expansion of the City Limits. Annexation of the Project site would not create islands or corridors and could be served by adjacent and nearby services and utilities.
14.	At the time of adoption of a city Sphere of Influence LAFCO may develop and adopt in cooperation with the municipality, an urban area boundary pursuant to policies adopted by the Commission in accordance with Government Code Section 56080. LAFCO shall not consider any area for inclusion within an urban service area boundary that is not addressed in the general plan of the affected municipality or is not proposed to be served by urban facilities, utilities, and services within the first five years of the affected city's capital improvement program.	Consistent. Implementation of the Project would not occur without City approvals (e.g., General Plan amendment and re-zoning [or pre-zoning]), County approval, and LAFCO review and approval, including approval/acceptance of the municipal service report. Urban facilities, utilities, and services are available to serve the project.
15.	LAFCO shall review Sphere of Influence determinations every five years or when deemed necessary by the Commission consistent with an adopted work plan. If a local agency or the County desires amendment or revision of an adopted Sphere of Influence, the local agency, by resolution, may file such a request with the LAFCO Executive Officer. Any local agency or county making such a request shall reimburse the Commission for the actual and direct costs incurred by the Commission. The Commission may waive such reimbursement if it finds that the request may be considered as part of its periodic review of spheres of influence.	Consistent. Implementation of the Project would not occur without appropriate LAFCO review and approval. The City is required to comply with LAFCO requirements for SOI determinations.
16.	LAFCO shall adopt, amend, or revise Sphere of Influence determinations following the procedural steps set forth in CKH 56000 et seq.	Consistent. Implementation of the Project would not occur without appropriate LAFCO review and approval. The City is required to comply with LAFCO requirements for SOI determinations.

As shown in Table 4.10-2, the Project would be consistent with LAFCO policies for City annexations and SOI review. In addition, LAFCO requires demonstration of the availability of an adequate, reliable, and sustainable water supply. As discussed in Section 4.15, *Utilities/Service Systems*, the City currently has sufficient water supply to provide potable water to the project.

Due to the size of the Project site and the scale of proposed development, the Project merits analysis for consistency with the regional land use strategy in SLOCOG's 2019 RTP. The SCS element of this transportation plan describes the "2035 Preferred Growth Scenario" for the next 15+ years, intended to decrease strain on natural resources, reduce the amount of travel and GHG emissions,

improve air quality, and promote public health by supplying more efficient options for transportation and housing. Consistent with the 2035 Preferred Growth Scenario, the SCS envisions focusing new growth to existing corridors and communities. The Project site is located in the corridor to the City of Paso Robles. The Project includes a request for a (SOI amendment and an annexation from San Luis Obispo County into the City of Paso Robles, a Pre-Zoning application, a General Plan amendment, approval of a Master Development Plan, a Lot Line Adjustment (PR/COAL 18-0098), a Vesting Tentative Tract Map (TTM 3120), and approval of a Development Agreement. These required entitlements would allow for the development of the Project site as anticipated in the MOA between the City of Paso Robles and the County of San Luis Obispo. The intent is for the Project to be consistent with the development parameters for the proposed land use categories described in the city's General Plan and other applicable planning documents. .

In summary, the Project would be consistent with the goals and policies in the City's General Plan, standards in the Gateway Design Plan, and principals in the City's Purple Belt Action Plan, LAFCO policies related to City annexations and SOI review, and the land use strategy in the 2019 RTP/SCS. Therefore, the Project would not conflict with the applicable land use plans, policies, or regulations of the agencies with jurisdiction over the Project, and this impact would be less than significant.

4.10.3 Cumulative Impacts

Cumulative development in the immediate Project vicinity is limited to visitor serving (hotel and/or commercial) uses on the adjacent property to the southeast, fronting the U.S. 101/SR 46 West interchange. This adjacent parcel is in the Paso Robles City limits, and development of this parcel was considered in the traffic analysis and design for the Project. Other land in the City and near the Project Site is already developed, so future uses would be limited to infill activities consistent with City plans and policies. The Project does not provide access or utility extensions to the unincorporated land to the west, and there are no major projects planned in the County jurisdiction adjacent to the Project at this time. Future land use in these areas is expected to be limited to continued agricultural activities, including vineyards and winery uses associated with vineyards. Land development in the unincorporated area would be limited to subdivision or lot line adjustments on parcels of sufficient size in the Agricultural or Residential Suburban land use category. These potential land use entitlements may occur with or without the Project. For these reasons, the contribution of the Project to cumulative land use changes or the effects of cumulative land use changes would be less than significant.

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4.11 Noise

This section discusses the Project's potential impacts relating to noise and groundborne vibration.

4.11.1 Setting

a. Environmental Noise

Sound is described in terms of the loudness (amplitude) and frequency (pitch) of the sound. Noise is typically defined as unwanted sound that interferes with normal activities or otherwise diminishes the quality of the environment. Prolonged exposure to high levels of noise is known to have several adverse effects on people, including hearing loss, communication interference, sleep interference, physiological responses, and annoyance. The noise environment typically includes background noise generated from both near and distant noise sources as well as the sound from individual local sources. These can vary from an occasional aircraft or train passing by to continuous noise from sources such as traffic on a major road.

The standard unit of measurement of the loudness of sound is the decibel (dB). Since the human ear is not equally sensitive to sound at all frequencies, a special frequency-dependent rating scale has been devised to relate noise to human sensitivity. The A-weighted decibel scale (dBA) is an adjustment to the actual sound pressure levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz). In addition to the instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress. One of the most frequently used noise metrics that considers both duration and sound pressure level is the equivalent noise level (Leq). The Leq is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time. Typically, Leq is summed over a one-hour period.

The sound pressure level is measured on a logarithmic scale with the 0 dB level based on the lowest detectable sound pressure level that people can perceive (an audible sound that is not zero sound pressure level). Decibels are summed on a logarithmic basis. Based on the logarithmic scale, a doubling of sound energy is equivalent to an increase of 3 dB and a sound that is 10 dB less than the ambient sound level would result in a negligible increase (less than 0.5 dB) in total ambient sound levels. In terms of human response to noise, studies have indicated that a noise level increase of 3 dBA is barely perceptible to most people, a 5 dBA increase is readily noticeable, and a difference of 10 dBA would be perceived as a doubling of loudness. Quiet suburban areas typically have noise levels in the range of 40 to 50 dBA, while those along arterial streets are in the 50 to 60+ dBA range. Normal conversational levels are in the 60-65 dBA range and ambient noise levels greater than that can interrupt conversations.

Noise levels from stationary or point sources (such as construction equipment and industrial machinery) typically attenuate at a rate of 6 to 7.5 dB per doubling of distance over acoustically hard and soft locations, respectively. Noise from lightly traveled roads typically attenuates at a rate of about 4.5 dB per doubling of distance, while noise from heavily traveled roads typically attenuates at about 3 dB per doubling of distance. Noise levels are also reduced by intervening structures such as buildings or walls (typically referred to as "transmission loss"). Generally, a single

row of buildings between the receptor and the noise source reduces the noise level by about 5 dBA, while a solid wall or earthen berm that breaks the line-of-sight reduces noise levels by 5 to 10 dBA. The Federal Transit Administration's (FTA) Transit Noise and Vibration Impact Assessment (2006) indicates that the manner in which newer buildings in California are constructed generally provides a reduction of exterior-to interior noise levels of about 25 dBA with closed windows (2006). Standard construction materials and techniques used for residential developments in Southern California (conventional wood frame construction consistent with current California energy conservation requirements) normally result in a minimum exterior-to-interior noise attenuation of 15 dBA with windows open and 20 dBA with windows closed.

The time period in which noise occurs is also important since noise that occurs at night tends to be more disturbing than that which occurs during the daytime. To evaluate community noise on a 24-hour basis, the day-night average sound level was developed (Ldn). Ldn is the average of all A-weighted levels for a 24-hour period with a 10 dB upward adjustment added to those noise levels occurring between 10:00 PM and 7:00 AM to account for the general increased sensitivity of people to nighttime noise levels. The Community Noise Equivalent Level (CNEL) is identical to the Ldn with one exception. The CNEL adds 5 dB to evening noise levels (7:00 PM to 10:00 PM). Thus, both the Ldn and CNEL noise measures represent a 24-hour average of A-weighted noise levels with Ldn providing a nighttime adjustment and CNEL providing both an evening and nighttime adjustment.

b. Groundborne Vibration

Vibration is sound radiated through the ground. The rumbling sound caused by the vibration of room surfaces is called groundborne noise. The ground motion caused by vibration is measured as particle velocity in inches per second and is referenced as vibration decibels (VdB) (FTA 2006).

The background vibration velocity level in residential areas is typically around 50 VdB. The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for many people. Most perceptible indoor vibration is caused by sources within buildings, such as operation of mechanical equipment, movement of people, or the slamming of doors. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the groundborne vibration from traffic is rarely perceptible. The range of interest for groundborne vibration is from approximately 50 VdB, which is the typical background vibration velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings (FTA 2006). The general human response to different levels of groundborne vibration velocity levels is described in Table 4.11-1.

Table 4.11-1 Human Response to Vibration Levels

Vibration Velocity Level	Human Reaction
65 VdB	Approximate threshold of perception for many people.
75 VdB	Approximate dividing line between barely perceptible and distinctly perceptible. Many people find transit vibration at this level annoying.
85 VdB	Vibration acceptable only if there are an infrequent number of events per day.
90 VdB	Difficulty with tasks such as reading computer screens.

Source: FTA 2006

c. Existing Ambient Noise Environment

The property is bounded by SR 46 West on the south, South Vine Street (frontage road) and U.S. 101 on the east, and scattered vineyard and residential uses on the north and west. Commercial uses including hotels, restaurants, and retail stores are located east and south of the site, across U.S. 101 and SR 46 West, respectively. The Project site is vacant and supports low intensity grazing uses. A few residences and other agricultural uses, mainly vineyards, are located on lands to the west and north. Land to the south, across SR 46W is characterized primarily by visitor-serving and retail commercial development. Across US Highway 101 to the east, commercial and industrial uses are located along Ramada Drive. The primary source of noise on the Project site and in the site vicinity is vehicular traffic on US Highway 101. Nearby commercial and industrial activities also serve as potential stationary noise sources.

Existing noise levels on and around the Project site were determined using the U.S. 101/SR 46 West Interchange Improvement Project Noise Study Report (Paso Robles/URS Corporation, January 2007) and the City of Paso Robles General Plan Noise Element noise contours. The daily traffic volume along U.S. 101 adjacent to the Project area in 2006 was approximately 63,000 vehicles. Since then, the daily traffic volume has varied up and down, and in 2017, was 70,500 vehicles. As discussed in Section 4.11.1.a, *Environmental Noise*, a noise level increase of 3 dBA is barely perceptible to most people. The increase in noise levels attributable to the traffic volume increase along U.S. 101 adjacent to the Project area between 2006 and 2017 is just under 1 dBA and, thus, not perceptible. Therefore, the 2006 noise levels determined by the Noise Study Report still provide an accurate baseline for this analysis.

This existing analysis includes both measured and modeled noise levels at various locations on and in the vicinity of the Project site, south of SR 46 West, and west of U.S. 101. The Noise Element includes general mapping of noise contours, based on traffic volumes at the time the Noise Element was updated (2003). Since the mapping was completed for the entire city, these noise contours are only preliminary in nature, and are used to help identify locations where more detailed analysis of noise levels is necessary. They do not include adjustments for topography and other factors that may affect the actual noise levels on the ground. Table 4.11-2 summarizes the results for the existing noise levels.

Table 4.11-2 Summary of Measured Short-Term Ambient Noise Levels

Receiver No.	Land Use	Existing Peak Hour Traffic Noise Level (dBA Leq)	Noise Level Measured or Modeled
ST-5	Theater Drive south of the project site between Pier 1 Imports and Carl's Jr.	75	Measured
ST-7	Southwest corner of SR 46 West and Theater Drive	67	Measured
M-1	Theater Drive south of the project site, north of Carl's Jr.	69	Modeled
M-2	Existing residential unit west of Theater Drive and south of SR 46 West	57	Modeled
M-3	West side of Theater Drive, south of SR 46 West	58	Modeled
M-4	North property line of existing La Bellasera Hotel & Suites	62	Modeled
M-5	Southwest of Theater Drive, north of existing Orchard Supply Store	57	Modeled
M-6	South of Theater Drive north of existing Chili's	66	Modeled

All measurements shown reflect peak-traffic-hour noise levels.
Source: US 101/SR 46 Interchange Improvement Project Noise Study Report (Paso Robles/URS Corporation, January 2007)

As indicated in Table 4.11-2, measured ambient noise levels at locations in the vicinity of the Project site ranged from approximately 57 to 69 dBA Leq during the daytime hours.

The following are notable observations pertaining to the recorded existing noise levels and noise contours in the Project vicinity:

- The distance from the center of U.S. 101 to the 65 dBA CNEL noise contour is approximately 500 feet.
- In the vicinity of SR 46 West, the area where CNEL values exceed 65 dBA is also influenced by this east-west highway, as well as the flatter topography where the highway is located.
- The residential areas to the south and west of the project site have CNEL values in the 60-65 dBA range, with some lower and higher values depending on proximity to U.S. 101 and/or SR 46 West.

d. Sensitive Noise Receptors

Noise exposure goals for various types of land uses reflect the varying noise-sensitivities associated with those uses. Single- and multi-family residences, schools, libraries, medical facilities, retirement/assisted living homes, health care facilities, and places of worship are most sensitive to noise intrusion and therefore have more stringent noise exposure targets than commercial or agricultural uses that are not subject to impacts such as sleep disturbance, disruption of conversations, lectures or sermons, or decreased attractiveness of exterior use areas, such as patios, backyards, or parks. Of particular concern is exposure of sensitive receptors to long-term elevated interior noise levels and sleep disturbance, which can be associated with health concerns.

The nearest noise-sensitive land uses to the Project site consist predominantly of rural residential dwelling units on adjacent properties. The nearest residence to the Project site is located approximately 130 feet to the west from the central portion of the western Project site boundary. Additional residential land uses are located approximately 360 feet from the western Project site boundary, and 400 and 500 feet from the north site boundary. Other noise-sensitive uses in the vicinity of the Project site include single-family residential units and hotels located approximately 200-300 feet south of the southern Project site boundary, across SR 46 West.

Noise-sensitive receptors further from the Project site may also be affected by increased traffic noise levels along area roadways.

e. Regulatory Setting

Federal

Federal Transit Administration Criteria

The FTA developed methodology and significance criteria to evaluate vibration impacts from surface transportation modes (i.e., passenger cars, trucks, buses, and rail) in the Transit Noise Impact and Vibration Assessment (FTA 2006). For residential buildings (Category 2), the threshold applicable to these projects is 80 VdB.

Department of Housing and Urban Development

The Department of Housing and Urban Development (HUD) guidelines for the acceptability of residential land use are set forth in the Code of Federal Regulations Title 24, Part 51, "Environmental Criteria and Standards." These guidelines parallel those suggested in the FICUN report: noise exposure of 65 dBA CNEL/Ldn, or less, is acceptable and between 65 and 75 dBA CNEL/Ldn noise exposure is considered normally acceptable provided appropriate sound-reduction measures are provided. Above 75 dBA CNEL/Ldn noise exposure is generally considered unacceptable. The guidelines also identify the recommended interior noise levels of 45 dBA CNEL/Ldn. These guidelines apply only to new construction supported by HUD grants.

State

State of California's Guidelines for the Preparation and Content of Noise Element of the General Plan (1987)

These guidelines reference land use compatibility standards for community noise environments as developed by the California Department of Health Services, Office of Noise Control. Sound levels up to 65 Ldn or CNEL are determined in these guidelines to be normally acceptable for multi-family residential land uses. Sound levels up to 70 CNEL are normally acceptable for buildings containing professional offices or defined as business commercial. The guidelines recommend that a detailed analysis of noise reduction requirements be prepared when new residential development is proposed in areas where existing sound levels approach 70 CNEL.

The California Administrative Code (CAC), Title 24, Noise Insulation Standards

Interior noise levels for habitable rooms are regulated also by Title 24 of the California Code of Regulations (CCR), California Noise Insulation Standards. Title 24, Chapter 12, Section 1207.4, of the California Building Code (CBC) requires that interior noise levels attributable to exterior sources not

exceed 45 CNEL in any habitable room within a residential structure. A habitable room is a room used for living, sleeping, eating, or cooking. Bathrooms, closets, hallways, utility spaces, and similar areas are not considered habitable rooms for this regulation (24 CCR 1207 2016).

Local

City of Paso Robles General Plan Noise Element

The City of Paso Robles General Plan Noise Element includes the city's transportation source noise standards for outdoor activity areas and interior spaces. The noise compatibility guidelines for various land uses are based on guidelines developed by the California Department of Health Office of Noise Control. The city's noise criteria for determination of future land use compatibility are presented in Table 4.11-3. These guidelines are used to assess whether transportation noise would potentially pose a conflict with proposed land uses. For the most sensitive uses such as single-family residential, an exterior noise level of 60 dBA CNEL/Ldn is the maximum value that is "normally acceptable," 55 to 70 dBA CNEL/Ldn is "conditionally acceptable," 70 to 75 dBA CNEL/Ldn is "normally unacceptable," and levels in excess of 75 dBA CNEL/Ldn are considered "clearly unacceptable." Proposed land uses are considered "conditionally acceptable" provided sufficient noise-reduction features have been incorporated to reduce interior noise levels to within acceptable levels.

Table 4.11-3 Land Use Compatibility Noise Criteria Transportation Noise Sources

	Community Noise Exposure Ldn or CNEL, dBA	
Land Use Category	**Normally Acceptable**	**Conditionally Acceptable**
Residential – Low Density Single Family, Duplex, Mobile Homes	50-60	55-70
Residential – Multi-Family	50-65	60-70
Transient Lodging – Motels, Hotels	50-65	60-70
Schools, Libraries, Churches, Hospitals, Nursing Homes	50-65	60-70
Auditoriums, Concert halls, Amphitheaters	–	50-70
Sports Arena, Outdoor Spectator Sports	–	50-75
Playgrounds, Neighborhood Parks	50-70	–
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50-75	–
Office Buildings, business Commercial and Professional	50-70	67.5-77.5
Industrial, Manufacturing, Utilities, Agriculture	50-75	70-80

Normally Acceptable – Specified land uses is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.
Conditionally Acceptable – new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made, needed noise reduction requirements are made, and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.
Source: City of Paso Robles General Plan Noise Element, 2003e

In addition to the noise criteria for determination of land use compatibility, Noise Element Policy N-1A establishes exterior and interior noise standards for transportation noise sources:

Policy N-1A: Noise Minimization. New development shall be designed to comply with the maximum, allowable Noise Exposures of 65 dB CNEL for outdoor activities (except for parks); and 45 dB CENL for indoor activities.

Noise measurement (dB L_{dn} or CNEL) is calculated using a daily average that takes into account the time of day the noise occurs. Sounds occurring at night at weighted more heavily.

Accordingly, the maximum allowable noise exposure for existing land use outdoor activity areas (except for parks) is 65 dBA CNEL/Ldn. The maximum allowable noise exposure for existing land use interior activity areas is 45 dBA CNEL/Ldn. Assuming a minimum exterior-to-interior noise reduction of 20 dB, an exterior noise level of 65 dBA CNEL/Ldn would provide for an interior noise level of 45 dBA CNEL/Ldn. This interior noise standard applies to various noise-sensitive land uses, including residential dwellings, schools, hotels, motels, auditoriums, meeting halls, office buildings, nursing homes, hospitals, theaters, and libraries (City of El Paso de Robles 2003).

The City of Paso Robles has also adopted noise standards for stationary sources. The noise standards are applied at the property line of the receiving land use. The city's noise standards for stationary sources are summarized in Table 4.11-4.

Table 4.11-4 Maximum Allowable Noise Exposure due to Stationary Noise Sources

	Daytime (7:00 AM to 10:00 PM)	Nighttime[2] (10:00 PM to 7:00 AM)
Hourly Leq in dB[1,2]	50	45
Maximum level in dB[1,2]	70	65
Maximum Impulsive noise in dB[1,3]	65	60

[1] As determined at the property line of the receiver. When determining effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers or other property-line noise mitigation measures.

[2] Sound level measurements shall be made with slow meter response.

[3] Sound level measurements shall be made with fast meter response.

Note: "Slow" and "fast" meter responses are switch settings on noise meters. The slow setting dampens impulsive fluctuations to give an average noise level; the fast setting allows recordation of impulsive noises.

Source: City of Paso Robles General Plan Noise Element, 2003e.

Paso Robles Municipal Code, Title 21, Chapter 21.04 (General Performance Standards for All Uses)

The city's Municipal Code (Section 21.21.040-C) general performance standards for all uses state that no land use shall increase the ambient noise level as measured at the nearest residentially zoned property line to a level that constitutes a public nuisance.

4.11.2 Impact Analysis

a. Methodology and Significance Thresholds

Significance Thresholds

The following criteria are based on Appendix G of the State CEQA Guidelines. An impact would be considered potentially significant if the project would result in one or more of the following conditions:

1. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
2. Generation of excessive groundborne vibration or groundborne noise levels; or
3. For a project located within the vicinity of a private airstrip or 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, exposure of people residing or working in the project area to excessive noise levels.

The analysis in this EIR evaluates the potential impacts of the project on the environment. The compatibility of future land uses within the Specific Plan area with the existing noise environment would be addressed through compliance with applicable City noise regulations and the City's permit approval process.

The project is not located within two miles of a public airport or private airstrip. This issue is discussed in Section 4.16, Effects Found Not to be Significant.

Methodology

Short-Term/Construction Noise

The city has not adopted noise standards that apply to short-term construction activities. However, based on screening noise criteria used by federal agencies on local projects, construction activities would generally be considered to have a potentially significant noise impact if average daytime noise levels would exceed 90 dBA Leq when averaged over a 1-hour period (Leq[1]), or 80 dBA Leq when averaged over an 8-hour period (Leq[8]) (FTA 2018). Because some activities may not occur over a full 8-hour day, and to be conservative, construction-generated noise levels would be considered to have a potentially significant impact if predicted noise levels at noise-sensitive land uses would exceed 80 dBA Leq when averaged over a 1-hour period.

Long-Term Operational Noise Impacts

The CEQA Guidelines do not define the levels at which increases in ambient noise would be considered "substantial." As discussed in the first paragraph of Section 4.11.1 Setting, above,), a noise level increase of 3 dBA is barely perceptible to most people, a 5 dBA increase is readily noticeable, and a difference of 10 dBA would be perceived as a doubling of loudness.

For purposes of this analysis, a substantial increase in ambient noise levels would be defined as an increase of 3 dBA CNEL/Ldn, or greater. Substantial increases in ambient noise levels that would exceed applicable noise standards for existing land uses would be considered to have a potentially significant impact. For existing land uses, a substantial increase in ambient noise and exposure to transportation noise levels in excess of 65 dBA CNEL/Ldn within outdoor activity areas or 45 dBA

CNEL/Ldn within interior areas would be considered a potentially significant impact. The compatibility of the proposed land uses was evaluated based on predicted future on-site noise conditions and in comparison to the City's noise exposure standards for determination of impact significance (refer to Table 4.11-3).

Exposure to non-transportation noise sources would be considered potentially significant if noise levels at existing noise-sensitive receptors would exceed the city's noise exposure standards for stationary noise sources (refer to Table 4.11-4).

Groundborne Vibration Impacts

There are no federal, state, or local regulatory standards for ground-borne vibration. The CEQA Guidelines also do not define the levels at which groundborne vibration levels would be considered excessive and the city has not adopted a vibration threshold for CEQA purposes. However, the California Department of Transportation (Caltrans) has developed vibration criteria based on potential structural damage risks and human annoyance. Caltrans recommended criteria for the evaluation of groundborne vibration levels, with regard to structural damage and human annoyance, are summarized in Table 4.11-5. These criteria apply to continuous vibration sources, which include vehicle traffic, train, and most construction vibrations, with the exception of transient or intermittent construction activities, such as pile driving. All damage criteria for buildings are in terms of ground motion at the buildings' foundations. No allowance is included for the amplifying effects of structural components (Caltrans 2013).

Table 4.11-5 Summary of Groundborne Vibration Levels and Potential Effects

Vibration Level (in/sec ppv)	Human Reaction	Effect on Buildings
0.006-0.019	Threshold of perception; possibility of intrusion.	Vibrations unlikely to cause damage of any type.
0.08	Vibrations readily perceptible.	Recommended upper level of the vibration to which ruins and ancient monuments should be subjected.
0.1	Level at which continuous vibrations begin to annoy people.	Virtually no risk of "architectural" damage to normal buildings.
0.2	Vibrations annoying to people in buildings (this agrees with the levels established for people standing on bridges and subjected to relatively short periods of vibrations).	Threshold at which there is a risk of "architectural" damage to fragile buildings.
0.4-0.6	Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges.	Potential risk of "architectural" damage may occur at levels above 0.3 in/sec ppv for older residential structures and above 0.5 in/sec ppv for newer structures.

The vibration levels are based on peak particle velocity in the vertical direction for continuous vibration sources, which includes most construction activities, with the exception of transient or intermittent construction activities, such as pile driving. For pile driving, the minimum criterion level is typically considered to be 0.2 in/sec ppv.

Source: Caltrans 2013

As shown in Table 4.11-5, the threshold for architectural damage commonly applied to construction activities is a peak particle velocity (ppv) of 0.3 inches per second (in/sec) for fragile structures and 0.5 in/sec ppv for newer structures. Levels above 0.2 in/sec ppv may result in increased levels of annoyance for people in buildings (Caltrans 2013). Caltrans' recommended groundborne vibration

thresholds were used for the evaluation of potential groundborne vibration impacts. Based on these levels, groundborne vibration levels would be considered to have a potentially significant impact with regard to potential structural damage if levels would exceed a 0.5 in/sec ppv.

Methodology

Construction Noise

Short-term noise impacts associated with construction activities were analyzed based on typical construction equipment noise levels derived from the Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM) and the Federal Transit Administration's (FTA) Transit Noise and Vibration Impact Assessment Manual. Typical equipment use for various phases of construction were based on default assumptions identified in the California Emissions Estimator Model (CAPCOA 2018) for representative development projects. Predicted average-hourly construction noise levels (in dBA Leq) were calculated assuming the two loudest pieces of construction equipment operating simultaneously at 50 feet from source center (FTA 2018). Noise levels were predicted based on an average noise-attenuation rate of 6 dB per doubling of distance from the source.

Vibration Levels Associated with Construction Equipment

Groundborne vibration levels associated with construction activities were estimated based on the 2013 Caltrans Transportation and Construction Vibration Guidance Manual. Potential vibration levels were identified for onsite and offsite locations that are sensitive to vibration, including nearby residences.

Operational and Traffic Noise

Procedures for identifying and analyzing potential noise issues and effects as outlined in the Paso Robles Noise Element Appendix (Paso Robles December 2003:N-2) were followed for this section. In addition, procedures used by Caltrans for the evaluation of roadway noise impacts were also reviewed and followed for this analysis (Caltrans May 2011). Estimates of current and future traffic noise levels were prepared using the FHWA published Traffic Noise Model (version 2.5 Lau et al 2004). In some instances where it was necessary to generate spot estimates of traffic noise levels, the earlier version of the FHWA noise model was used (Barry and Reagan 1978) along with California-specific vehicle noise level source data by Caltrans (Hendricks 1987). Traffic volumes for the existing conditions and for the various future scenarios were obtained from the Traffic and Circulation Study prepared for the earlier Paso Robles Gateway project. In the earlier proposal, the total trip generation associated with the Project would have been 6,668 daily trips. The trip generation from the currently proposed Project would be somewhat less, 5,289, so the estimates of traffic noise from the Project in this analysis are slightly high, or conservative. Model results were computed for both the peak hour Leq (for purposes of evaluation by Caltrans) and the 24-hour CNEL (for comparison to City of Paso Robles Noise Element standards). Previous work for the Caltrans evaluation of the freeway interchange was also reviewed, and noise measurement data from that previous work was also incorporated into this analysis (Paso Robles, January 2007).

b. Project Impacts and Mitigation Measures

Threshold 1:	Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Impact N-1 THE PROJECT WOULD INTRODUCE NEW NOISE SENSITIVE USES, INCLUDING WORKFORCE HOUSING, TO AN AREA WHERE FUTURE EXTERIOR NOISE LEVELS WOULD EXCEED CITY STANDARDS. THIS IMPACT WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

Table 4.11-6 below shows the results of modeling to estimate future noise levels without ("No Build 2035") and with ("Build 2035") development of the Project. The results for alignment of South Vine Street as studied originally by Caltrans ("Build 2035"[Vine Street]) are also shown in Table 4.11-6.

Table 4.11-6 Future (2035) Noise Levels

Modeled Receiver No.	Land Use	Existing CNEL (dBA)	No Build 2035	Build 2035 (Vine Street)	Build 2035
ST-8	Hwy 46 Resort	57.2	59.4	59.9	60.1
ST-9	Proposed Hillside Hotel	59.2	61.2	61.7	62
ST-10	Vacant (near proposed Promontory Commercial site)	62.6	64.7	64.8	64.8
M-20	Pool\Hotel (River Lodge Motel)	68.6	70.7	71.0	71.0
M-21	Pool\Hotel (River Lodge Motel)	68.1	70.2	70.2	70.2
M-22	Hotel\Pool (west side, Hampton Inn)	57.9	60.1	61.5	61.1
M-3	Vacant (south of SR 46W)	63.7	64.9	66.1	66.2
M-2	Existing residence, south of SR 46W	58.8	60.9	60.9	61.5
M-23	Residential (Alice Place)	48.4	50.4	50.3	50.7
M-24	Residential (Alice Place)	51.1	53.1	53.9	54.0
M-25	Residential (Alice Place)	42.8	44.9	44.4	45.1
M-26	Residential (Alice Place)	49.3	51.4	51.2	51.7
M-27	Residential (Gahan Place)	52.3	54.5	51.8	54.7
M-28	Residential (Del Sol Place)	40.5	42.7	40.3	42.9
M-5	Commercial (Hardware store)	55.9	56.7	58.0	58.0
M-6	Commercial (Chili's)	61.8	62.6	63.7	63.7
M-17	Cenco property, approved hotel	60.2	62.3	62.6	63.5
M-19	Vacant (proposed Village Commercial Center, Building 7, worker housing)	62.4	64.5	63.9	69.7
M-4	Hotel (Hampton Inn and Suites)	65.2	67.5	67.8	67.6
M-29	Vacant (proposed Vine Street Vineyard Hotel, building 2)	65.8	67.9	67.8	68.7
M-30	Residential (Alice Place)	56.5	58.5	58.7	58.9

The bolded values in Table 4.11-6 are projected CNEL values that would exceed 65 dBA, which is considered the upper limit for exterior noise levels compatible with residential or hotel uses. Some of these incompatible noise levels exist under the present conditions (locations M-4, M-20, and M-21). Other exceedances would occur in the future and would be influenced by new traffic generated by the Project. The most important of these are represented by locations M-19 and M-29, which are near the proposed Vine Street Vineyard Hotel (Building 2) and Village Commercial Center (Building 7, which would include worker housing units), respectively. The proposed workforce housing units would be at a location where current CNEL values exceed 65 dB and future noise levels are likely to increase by several decibels. Although the Vine Street Vineyard Hotel (building 2) itself may be just outside the future 65 dBA CNEL, it is close enough to conclude that there may be a noise impact at this location due to the exposure of persons to noise levels in excess of city standards. Thus, mitigation to address noise levels at these two locations is warranted. Even in this reasonable worst case, noise levels would be less than 70 dBA, and mitigation measures to provide noise reductions compatible with residential and hotel uses would be feasible. Mitigation measures may include the use of barriers and building design to provide outdoor areas that are shielded from noise levels, and the use of structural insulation to ensure that interior CNEL values do not exceed 45 dBA, consistent with the city Noise Element policy and with the CBC.

As shown in Table 4.11-6, at locations M-20 and M-21 (the River Lodge Motel adjacent to U.S. 101) the existing outdoor noise levels are between 68 and 69 dBA, exceeding the 65 dBA CNEL exterior noise standard. This existing hotel is designed with its pool and outdoor areas closest to the highway. There is a 10 foot elevation difference, as the hotel property is slightly higher than the adjacent roadways to the east, and there are a few trees and landscaping to shield views. These features do not have a substantial effect in reducing noise levels, so the 65 dBA compatibility limit is exceeded under the existing conditions. With or without the project, the noise level at this location is expected to increase to 70-71 dBA as traffic volumes increase in the future. The effect of the incremental traffic from the Paso Robles Gateway Project is no more than 0.3 dBA, which is well below the 3 dBA threshold for detectable changes. For this reason, the Project will not have a noise impact at this location.

At the north end of the Hampton Inn and Suites (location M- 4) the existing CNEL is just over 65 dBA, and is expected to increase to between 67 and 68 dBA. The layout and design of this hotel provides an outdoor pool and recreation area on the west side of the building – a location that is well shielded from U.S. 101 traffic noise. This design and the modern construction of the building serve to reduce noise levels and avoid any incompatibilities under both the current and the future conditions. Additional traffic from the Paso Robles Gateway Project at this location would increase future noise levels by about 0.3 dBA, which would not be detectable. Therefore, the Project would not have a significant effect at this location.

Finally, in comparing the alignment of South Vine Street as proposed with the alignment originally studied by Caltrans, the differences in future CNEL values are generally less than 2 dBA. The exception to this generality is at point M-19, which is just east of the Vine Street Vineyard Hotel (building 2). At this location, South Vine Street would lie closer to the Vine Street Vineyard Hotel than under the original configuration studied by Caltrans. The noise level at the Vine Street Vineyard Hotel location would be considered a potential significant impact under either alternative. As noted above, mitigation would be feasible under either alternative, and the impact could be reduced to a level less than significant.

For the purposes of Caltrans evaluation, Table 4.11-7 provides similar information but is based on the hourly Leq for the peak hour traffic volumes on the adjacent highways.

Table 4.11-7 Future (2035) Peak Hour Noise Levels

Modeled Receiver No.	Land Use and Caltrans Activity Category	Existing	No Build 2035	Build 2035 (Caltrans)	Build 2035 (Furlotti)
ST-8	Proposed Hwy 46 Resort Hotel/Residential (B)	53.3	56.0	57.0	57.0
ST-9	Proposed Hillside Hotel (B)	56.9	59.0	59.5	59.7
ST-10	Vacant (near proposed Promontory Commercial site, D proposed C)	60.6	62.6	62.7	62.7
M-20	Pool\Hotel (River Lodge, B)	66.0	68.1	68.0	68.3
M-21	Pool\Hotel (River Lodge, B)	65.4	67.5	67.4	67.5
M-22	Hotel\Pool (west side Hampton Inn, B)	52.7	55.7	57.4	56.9
M-3	Vacant south of SR 46W, west of Theater Drive (D)	59.1	61.5	62.2	62.3
M-2	Residential (south of SR 46W) (B)	54.2	57.1	58.2	58.1
M-23	Residential (Alice Place) (B)	45.0	47.4	47.7	47.7
M-24	Residential (Alice Place) (B)	46.5	49.3	50.9	50.4
M-25	Residential (Alice Place) (B)	39.3	41.8	42.1	42.2
M-26	Residential (Alice Place) (B)	44.7	47.5	48.8	48.2
M-27	Residential (Gahan Place)(B)	47.0	50.1	51.0	51.0
M-28	Residential (Del Sol Place)(B)	36.7	39.3	39.9	39.9
M-5	Commercial (Hardware store)(B)	51.5	53.7	53.7	54.0
M-6	Commercial (Chili's)(C)	58.0	60.0	59.8	60.1
M-17	Cenco property, approved hotel (B)	57.7	59.8	60.1	60.9
M-19	Vacant (proposed Village Commercial Center, worker housing) B)	60.4	62.4	61.9	66.8
M-4	Hotel (Hampton Inn and Suites, B)	61.4	64.0	64.2	64.1
M-29	Vacant (proposed Vine Street Vineyard Hotel, building 2) (C)	63.6	65.6	65.6	66.3
M-30	Residential (Alice Place)(B)	53.6	55.8	56.1	56.1

Caltrans uses a peak hour Leq value of 67 dBA for land use category "B" (residences and hotels) to determine if noise abatement criteria are met. Table 4.11-7 shows that the only locations where the criteria would be exceeded are M-20 and M-21 at the River Lodge Motel adjacent to U.S. 101. Current noise levels at this location are just below the 67 dBA one-hour Leq criterion, but they would exceed this level in the future with or without the project. Furthermore, the difference between the noise levels associated with the original Caltrans alignment for South Vine Street and the proposed alignment are not substantial at this location. As with the review of CNEL values above, the only location where the one-hour Leq values would vary between the two different alignments is at M-19, which is representative of the location of the proposed Village Commercial Center worker housing (building 7). With the proposed Vine Street alignment, which is closer to the Project site than the previously studied Caltrans alignment, the one-hour Leq for future traffic conditions with the Project would be 66.8 dBA, or just under the Caltrans noise abatement criteria. Thus, at this location and at all other points there is no substantial difference between the results of this evaluation and that performed by Caltrans (2009).

Overall, operational noise impacts of the project would be potentially significant, requiring mitigation.

Mitigation Measures

The following mitigation would be required to reduce potential operational noise impacts on sensitive receivers, including new hotel development.

N-1 Exterior Noise Abatement

Prior to issuance of a building permit for the worker housing component of the Village Commercial Center (building 7) or for the Vine Street Vineyard Hotel, the developer shall provide a site-specific noise analysis to demonstrate that outdoor use areas would be located and designed to achieve CNEL values of 65 dBA or less, and that structural insulation measures would result in hotel room interior CNEL values of 45 dBA or less. Such noise reduction measures may include but are not limited to, the incorporation of setbacks, sound barriers, berms, hourly limitations, or equipment enclosures. The emphasis of such noise reduction measures shall be placed upon site planning and project design.

Plan Requirements and Timing. Site-specific noise analyses shall be submitted to the city for approval prior to building permit issuance for the worker housing component of the Village Commercial Center (building 7) and the Vine Street Vineyard Hotel.

Monitoring. City staff shall confirm that noise reduction measures are incorporated in plans prior to approval of building permit issuance. City staff shall ensure compliance prior to building occupancy.

Significance After Mitigation

Implementation of Mitigation Measure N-1 would ensure that noise levels at the Vine Street Vineyard Hotel do not exceed the city's interior and exterior noise standards for noise-sensitive receivers, and resulting impacts would be less than significant.

Threshold 1:	Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Impact N-2 THE PROJECT WOULD RESULT IN TEMPORARY NOISE IN THE VICINITY OF THE PROJECT SITE DURING THE CONSTRUCTION PHASE. CONSTRUCTION NOISE LEVELS COULD POTENTIALLY EXCEED 80 DBA LEQ. THIS IMPACT WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

Construction noise typically occurs intermittently and varies depending upon the nature or phase of construction (e.g., land clearing, grading, excavation, and paving). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels and be disruptive at nearby noise-sensitive receptors. Although noise ranges are generally similar for all construction phases, the initial site preparation phase tends to involve the most heavy-duty equipment having a higher noise-generation potential. Noise levels associated with individual construction equipment are summarized in Table 4.11-8.

Table 4.11-8 Construction Equipment Noise Levels

Equipment	Noise Level (dBA) at 50 feet from Source Center	
	L_{max}	L_{eq}
Air Compressor	78	74
Backhoe	78	74
Front End Loader	79	75
Compactor (Ground)	83	76
Concrete Mixer Truck	79	75
Concrete Saw	90	83
Crane	81	73
Dozer	82	78
Grader	85	81
Excavator	81	77
Scraper	84	80
Generator	81	78
Gradall	83	79
Hydraulic Break Ram	90	80
Jack Hammer	89	82
Impact Hammer/Hoe Ram (Mounted)	90	83
Roller	80	73
Paver	77	74
Pneumatic Tools	85	82
Tractor	84	80
Dump Truck	77	73

Based on measured equipment noise levels. Actual noise levels are typically lower, particularly if the equipment is fitted with exhaust mufflers and engine shrouds. Sources: FTA 2018, FHWA 2008

As shown in Table 4.11-8, maximum noise levels generated by individual pieces of construction equipment typically range from approximately 77 dBA to 90 dBA Lmax at 50 feet and average-hourly noise levels for individual construction equipment generally range from approximately 73 to 83 dBA Leq (FTA 2018).

Based on these equipment noise levels, equipment commonly associated with development projects, and assuming the two loudest pieces of equipment operating simultaneously in close proximity, predicted average-hourly noise levels occurring during the loudest phases of construction generally range from approximately 78 to 84 dBA Leq at 50 feet. Typical construction phase equipment noise levels are shown in Table 4.11-9.

Table 4.11-9 Typical Construction Phase Equipment & Noise Levels

Construction Phase	Typical Equipment	Noise Level (dBA L_{eq}) at 50 feet from Source Center
Demolition	Concrete Saws, Excavators, Dozers	81
Site Preparation	Dozers, Tractors, Loaders, Backhoes	83
Grading	Dozers, Tractors, Loaders, Backhoes, Graders, Scrapers, Excavators	84
Building Construction/ Architectural Coating	Cranes, Forklifts/Gradalls, Tractors, Loaders, Backhoes, Generators, Welders	83
Paving	Pavers, Rollers, Paving Equipment (e.g., Compactors)	78

[1] Represents equipment typically associated with community development projects derived from the California Emissions Estimator Model.

[2] Based on equipment noise levels identified in Table 4.10-12. Assumes the two loudest pieces of equipment operating simultaneously.

Sources: FTA 2018, FHWA 2008, CAPCOA 2016

Other construction activities (e.g., painting, landscaping) typically generate lower noise levels than shown in Table 4.11-9 (FTA 2018). Short-term increases in vehicle traffic, including worker commute trips and haul truck trips may also result in temporary increases in ambient noise levels at nearby receptors.

Depending on the location and types of activities conducted (e.g., building demolition, site preparation, grading), predicted noise levels at the nearest residences north of the Project site, could potentially exceed 80 dBA Leq, particularly when activities occur within approximately 50 feet of the nearest site boundaries. Activities occurring during the more noise-sensitive evening and nighttime hours could result in increased levels of annoyance and potential sleep disruption. For these reasons, noise-generating construction activities would have a potentially significant short-term noise impact.

Mitigation Measures

Mitigation Measure N-2 requires implementation of Best Management Practices (BMPs) for construction activities to reduce the temporary noise increases associated with project construction.

N-2 Construction Equipment Noise Best Management Practices

For all construction activities on the Project site, noise attenuation techniques shall be employed to ensure that noise levels are minimized. Such techniques shall include:

- Unless otherwise provided for in a validly issued permit or approval, noise-generating construction activities shall be limited to the hours of 7:00 AM and 7:00 PM. Noise-generating construction activities shall not occur on Sundays or federal holidays.
- Construction equipment shall be properly maintained and equipped with noise reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment-engine shrouds shall be closed during equipment operation.
- Equipment shall be turned off when not in use for an excess of five minutes, except for equipment that requires idling to maintain performance.
- Construction vehicles and haul trucks shall utilize roadways which avoid residential neighborhoods and sensitive receptors where possible. Applicants shall submit a proposed

construction vehicle and hauling route for city review and approval prior to grading/building permit issuance. The approved construction vehicle and hauling route shall be used for soil hauling trips prior to construction as well as for the duration of construction.

- A public liaison shall be appointed for project construction and shall be responsible for addressing public concerns about construction activities, including excessive noise. The liaison shall work directly with the construction contractor to ensure implementation of the appropriate noise reduction measures to address public concerns and to ensure that construction-generated noise levels would not exceed commonly applied noise criteria at nearby noise-sensitive land uses (e.g., 80 dBA Leq). Signage shall be posted at the site perimeter identifying the public liaison's contact information.
- Temporary barriers shall be installed where noise-generating construction activities would occur within 50 feet of an occupied noise-sensitive land use. Temporary noise barriers shall be constructed of sound curtains/blankets, wood, or material of similar density and usage, to a minimum height of 6 feet above ground level.
- Staging and queuing areas shall be located a minimum of 1,000 feet from nearby noise sensitive land uses identified in the project area at the time of construction (or at the furthest distance possible where a suitable location over 1,000 feet from noise sensitive land uses cannot be identified).
- Stationary equipment (e.g., generators, compressors) shall be located a minimum of 1,000 feet from nearby noise-sensitive land use identified in the project area at the time of construction (or at the furthest distance possible where a suitable location over 1,000 feet from noise-sensitive land uses cannot be identified).

Plan Requirements and Timing. Construction plans including construction hours, truck routes, and construction BMPs shall be submitted to the city for approval prior to grading and building permit issuance for each project phase. BMPs shall be adhered to for the duration of the project. The schedule and neighboring property owner notification mailing list shall be submitted 10 days prior to initiation of any earth movement.

Monitoring. City staff shall confirm that construction noise reduction measures are incorporated in plans prior to approval of grading/building permit issuance. City staff shall ensure compliance throughout all construction phases, including periodically inspecting the site for compliance with activity schedules and responding to noise complaints.

Significance After Mitigation

With the implementation of Mitigation Measure N-2, construction activities would be limited to the less noise-sensitive daytime hours. The proper maintenance of construction equipment and use of manufacturer recommended mufflers and engine shrouds would reduce equipment noise levels by approximately 10 dB. The installation of temporary noise barriers, where required, would decrease noise levels by approximately five to 10 dB. With mitigation, average-hourly construction noise levels would be reduced to less than 80 dBA Leq at nearby land uses. Therefore, with the implementation of Mitigation Measure N-3 this impact would be less than significant.

Threshold 2: Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?

Impact N-3 THE PROJECT WOULD RESULT IN GROUNDBORNE VIBRATION IN THE VICINITY OF THE PROJECT SITE, PRIMARILY DURING THE CONSTRUCTION PHASE. VIBRATION LEVELS DURING PROJECT CONSTRUCTION WOULD NOT CAUSE DAMAGE TO NEARBY STRUCTURES OR SUBSTANTIALLY IMPACT RESIDENTS IN NEARBY DWELLINGS. THIS IMPACT WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

Increases in groundborne vibration levels attributable to the Project would be primarily associated with short-term construction-related activities. Construction activities associated with the Project would likely require the use of various off-road equipment such as tractors, concrete mixers, equipment for soil compaction, and haul trucks.

Groundborne vibration levels associated with representative construction equipment are summarized in Table 4.11-10.

Table 4.11-10 Representative Construction Equipment Vibration Levels

	Vibration Level at 25 ft.	
Equipment	Peak Particle Velocity (ppv, in/sec)	VdB (micro-inch/second)
Vibratory roller/compactor	0.210	94
Large Bulldozers	0.089	87
Loaded Trucks	0.076	86
Jackhammer	0.035	79
Small Bulldozers	0.003	58

Sources: FTA 2018, Caltrans 2013

Based on the vibration levels presented in in Table 4.11-10, ground vibration generated by construction equipment would not exceed approximately 0.21 inches per second ppv at 25 feet. Predicted vibration levels at the nearest offsite structures located in excess of 25 feet from the Project site, including the U.S. 101/SR 46 West interchange overpass, would not exceed 0.5 in/sec ppv, which is the threshold for architectural damage for newer structures. However, vibratory rollers/compactors in use within 100 feet of residential structures or other sensitive uses, such as hotels or other transient lodging, may result in noticeable vibration levels that would result in increased levels of annoyance and potential sleep disruption. For these reasons, vibration-generating construction activities would have a potentially significant short-term impact.

In addition, haul trucks traveling along Project area roadways may result in perceptible increases in vibration levels. However, these vibration levels would be transient and instantaneous events, which would be typical of existing vibrations along the roadway network. Based on measurements conducted by Caltrans, on-road heavy-duty trucks would not generate substantial increases in groundborne vibration that would be expected to exceed commonly applied criteria for structural damage or annoyance (Caltrans 2013). As a result, vibration impacts associated with groundborne vibration from haul trucks on area roadways would be less than significant.

Mitigation Measures

Mitigation Measure N-3 requires implementation of Best Management Practices (BMPs) for construction activities to reduce groundborne vibration associated with Project construction.

N-3 Construction Equipment Vibration Best Management Practices

For all construction activities on the Project site, vibration attenuation techniques shall be employed to ensure that groundborne vibration levels are minimized. Vibration-minimizing techniques shall include:

a. Unless otherwise provided for in a validly issued permit or approval, vibration-generating construction activities shall be limited to the hours of 7:00 AM and 7:00 PM. vibration-generating construction activities shall not occur on Sundays or federal holidays.
b. Groundborne vibration levels near sensitive receptors shall be minimized by limiting the duration of compactor operation within 250 feet of sensitive receptors to a maximum of two hours per day.
c. A public liaison shall be appointed for Project construction and shall be responsible for addressing public concerns about construction activities, including excessive groundborne vibration. The liaison shall work directly with the construction contractor to ensure implementation of the appropriate vibration reduction measures to address public concerns and to ensure that groundborne vibration levels would not exceed commonly applied vibration criteria at nearby sensitive land uses (e.g., 85 VdB). Signage shall be posted at the site perimeter identifying the public liaison's contact information.

Plan Requirements and Timing. Construction plans shall note construction hours and vibration BMPs and shall be submitted to the city for approval prior to grading and building permit issuance for each Project phase. BMPs shall be identified and described for submittal to the city for review prior to building or grading permit issuance. BMPs shall be adhered to for the duration of the Project. The schedule and neighboring property owner notification mailing list shall be submitted 10 days prior to initiation of any earth movement.

Monitoring. The city shall confirm that construction vibration reduction measures are incorporated in plans prior to approval of grading/building permit issuance. The city shall ensure compliance throughout all construction phases. Building inspectors and permit compliance staff shall periodically inspect the site for compliance with activity schedules and respond to complaints.

Significance After Mitigation

With the implementation of Mitigation Measure N-3, construction activities would be limited to the less vibration-sensitive daytime hours. The proper maintenance of construction equipment and use of manufacturer recommended mufflers and engine shrouds would reduce equipment noise levels by approximately 10 dB. The installation of temporary noise barriers, where required, would decrease noise levels by approximately 5 to 10 dB. With mitigation, average-hourly construction noise levels would be reduced to less than 80 dBA Leq at nearby land uses. Therefore, with the implementation of Mitigation Measure N-3 this impact would be less than significant.

4.11.3 Cumulative Impacts

Planned, proposed, and approved projects in and around the city (refer to Section 3.3, Cumulative Development) would expose additional people and property to noise and groundborne vibration. Noise impacts from individual projects would depend upon the location, type, and size of development and the proposed uses, and would be primarily addressed through compliance with the city's land use compatibility requirements and enforcement of the city's maximum noise exposure standards for stationary noise sources. Cumulatively, increasing traffic noise is the primary noise concern associated with continued long term development in Paso Robles. The Project's contribution to cumulative traffic noise in the vicinity of the Project site is evaluated quantitatively in Impact N-1 above and has been determined to be less than significant with implementation of Mitigation Measure N-1. Therefore, the Project's overall contribution to long-term cumulative noise impacts would not be cumulatively considerable.

Construction and operation of other projects in the vicinity of the Project site may generate noise and vibration levels in excess of existing measured noise levels and may affect sensitive receptors in the area. As described in Impact N-2 the nearest residences are located north of the Project site. However, construction and operational noise is localized and generally does not contribute to cumulative noise impacts. Implementation of Mitigation Measures N-2 and N-3 would reduce construction noise and vibration associated with buildout of the Project and would ensure that the Project's contribution to cumulative noise and groundborne vibration impacts in the vicinity would not be cumulatively considerable.

4.12 Public Services and Recreation

This section discusses the Project's potential impacts on fire protection, police protection, schools, parks and recreational facilities, and libraries.

4.12.1 Setting

a. Fire Protection

The City of Paso Robles Department of Emergency Services (Emergency Services) provides fire protection services to the City of Paso Robles. Emergency Services has automatic and mutual aid contractual agreements with the CAL FIRE and the other surrounding municipal departments for emergency response to areas outside, but in close proximity to the city. According to the city's General Plan Safety Element (2014d), there are two fire stations serving the city. The nearest station to the Project site is the Paso Robles Fire Station Number 1, located approximately 2.8 miles north of the site. Emergency Services includes a staff of 27 to support fire protection, three battalion chiefs, one fire marshal, one administrative assistant, and one fire chief. The city's General Plan Land Use Element (2014a) calls for a ratio of 0.8 to 1.3 firefighters per 1,000 residents. Based on the City's 2019 population of 31,212 people, approximately 26 firefighters are needed to provide at least 0.8 firefighters for each 1,000 residents, and approximately 42 firefighters are needed to provide 1.3 firefighters for each 1,000 residents. With 27 firefighters currently on staff with the city, the city's existing service ratio is approximately 0.83 firefighters per 1,000 residents (Stornetta 2019).

The Emergency Services Growth Management Plan includes an adopted response time goal of 4-minutes or less 90 percent of the time (City of Paso Robles 2001). In 2018, this goal was achieved 34.4 percent of the time with an average response time of five-minutes and 25 seconds. In 2018, Emergency Services received 3,893 calls, with 114 calls for a fire emergency, 1,246 service calls, 98 calls for hazardous conditions, and 2,435 medical calls. In 2018, Emergency Services experienced 676 instances of simultaneous calls. When simultaneous calls are received the 911 caller has to wait for the current emergency to be cleared or wait for another fire department to respond into the City. Mutual aid from another fire department was requested 106 times in the year 2018, or on average approximately 2 times per week. The average response time for a mutual aid fire engine in 2018 was approximately 16 minutes for EMS and approximately 13 minutes for fire calls (Stornetta 2019).

Correspondence on April 29, 2019 with Fire Chief Jonathan Stornetta indicated that a third fire station is planned in the City of Paso Robles to redistribute call volume and responses. The new station would be approximately 11,500 square feet and would include an engine bay, offices, and living quarters. At this time, the property intended for this facility, which is approximately 4.5 miles northeast of the Project site, is currently in the process of being purchased. Three additional staff members are needed to staff the planned fire station and there are no current plans to hire additional staff or build the station.

b. Police Protection

Police protection in the City of Paso Robles is provided by the Paso Robles Police Department (PRPD). The PRPD service area consists of over 19.9 square miles with a service population of approximately 31,244. PRPD's police station is located approximately two miles northeast of the Project site at 900 Park Street (City of Paso Robles 2019). In 2019, the PRPD authorized 54.5 sworn and non-sworn staff. The number of employees working varies depending on the time of day and day of the week. PRPD has a current citywide staffing level of 1.1 sworn police personnel per 1,000 residents (Lewis 2019). The City's General Plan Land Use Element (2014) calls for a ratio of 1.4 to 1.6 sworn police personnel per 1,000 residents. Based on the City's 2019 population of 31,244 people approximately 44 police personnel are needed to provide at least 1.4 sworn police personnel for each 1,000 residents, and approximately 50 police personnel are needed to provide 1.6 sworn police personnel for each 1,000 residents. Correspondence on April 2, 2019 with Commander Ty Lewis indicated that the current ratio is 1.1 and the PRPD is not maintaining the established ratio goal established in the General Plan with existing staffing. The PRPD measures levels of service based on response times to the location of a call.

According to the city's General Plan Land Use Element, the city has an adopted response time goal of four minutes (City of Paso Robles 2014). The PRPD has an average of approximately 13 minutes response time for high priority calls (Lewis 2019). Correspondence with Police Commander Ty Lewis on April 3, 2019 indicated that additional PRPD staff are needed to meet the established ratio, but additional facilities are not required or currently anticipated.

c. Public Schools

Paso Robles Joint Unified School District (PRJUSD) provides public school facilities and services to the City of Paso Robles and nearby unincorporated areas. There are 11 schools in PRJUSD including six elementary schools, two middle schools, one comprehensive high school, and one alternative high school. Private schools are not included in this analysis because they are not funded by the state and are optional sources of education. PRJUSD provides public education to over 6,900 students in 11 school sites (PRJUSD 2019). The 2016 enrollments, average class sizes, and capacities as well as the projected 2022 enrollments of the schools in PRJUSD based on the 2016 Facilities Master Plan (PRJUSD 2016) are shown in Table 4.12-1.

Table 4.12-1 PRJUSD Schools Enrollments and Capacities

School	2016 Enrollment[1]	2022 Projected Enrollment[1]	Capacity[1]	2022 % Capacity
Pat Butler Elementary School	441	571	504	113%
Kermit King Elementary School	492	604	644	94%
Georgia Brown Dual Immersion Magnet School	577	644	644	100%
Winifred Pifer Elementary School	439	537	560	96%
Virginia Peterson Elementary School	452	579	588	98%
Marie Bauer Pre-School[2]	188	TBD[3]	TBD[3]	TBD[3]
Glen Speck Academy of the Arts[4]	512	661	588	112%
Daniel E. Lewis Middle School	757	866	836	104%
George H. Flamson Middle School	680	836	836	100%
Paso Robles High School	1,956	2,116	3,168	67%
Liberty/Independence High School	229[4]	316	128	247%

[1] Source: 2016 Facilities Master Plan (PRJUSD 2016)

[2] Bauer-Speck Elementary joint campus is identified as being split into two campuses: Marie Bauer Preschool and Glen Speck Academy of the Arts

[3] Based on programming

[4] Includes Independent enrollment

Based on the projected enrollment for the year 2022, nine out of the 11 schools are expected to be at over 90 percent capacity with six of those schools being at or over capacity. The only schools (excluding the Marie Bauer Pre-school which is listed as "To Be Determined" based on programming) that are expected to operate within current capacity level are Kermit King Elementary School, Winifred Pifer Elementary School, Virginia Peterson Elementary School, and Paso Robles High School.

Measure M was approved in November 2016 to fund projects in the PRJUSD Facilities Master Plan list. Priority A projects include various improvements at each one of the schools in the District, totaling $67,347,000. These would be followed by Priority B projects. These expanded and updated facilities will accommodate the increased number of students projected for the year 2022 (PRJUSD 2016).

d. Parks and Recreation Facilities

The City of Paso Robles includes 13 parks: one regional park, a community park, three district parks, five neighborhood parks, and three mini parks, as well as four recreation centers. These facilities total approximately 105 acres of parkland in the city, of which approximately 17 acres are neighborhood parks. The city owns and/ or manages a total of approximately 1,630 acres combined of parks and open space within and adjacent to the city (General Plan Land Use Element, City of Paso Robles 2014). There is no existing parkland on the Project site. The general characteristics of the city's recreational facilities are described below, based on information from the General Plan Parks and Recreation Element and Appendix (2003).

Regional Parks

Regional parks provide extensive park areas with specialized services and facilities to serve citywide or regional interests. Typical facilities at regional parks include large open space areas, large group picnic facilities, restrooms, competitive sports fields, play equipment for varied age groups, and concessions. Barney Schwartz Park is approximately 40 acres and is the only regional park in the city.

Community Parks

Community parks are intended to serve the entire community and are designed to for users whose needs are not met in smaller parks throughout the city. Features of community parks include amphitheaters, large group picnic facilities, meeting and banquet rooms, competitive sports fields and courts, water-oriented facilities, play equipment for varied age groups, commercial kitchens, and gymnasiums. Centennial Park is approximately 16 acres and is the only community park in the city.

District Park

District parks are medium-sized parks that generally vary from eight to 12 acres in size. The Paso Robles General Plan Parks and Recreation Element identifies Sherwood Park, Oak Creek Park, and Pioneer Park as district parks, which total approximately 29 acres. Pioneer Park, which is approximately seven acres, is planned to be sold.

Neighborhood Parks

Neighborhood parks are landscaped parks located within designated neighbored areas that can be used by all age groups for passive recreation. Typical neighborhood park features include athletic fields, multi-use turf areas, hard courts and playground equipment. Neighborhood parks range from three to 10 acres in size. The Paso Robles General Plan Parks and Recreation Element identifies Paso Robles City Park, Melody Park, Turtle Creek Park, Lawrence (Larry) Moore Park, and Robbins Field as neighborhood parks, which total approximately 17 acres (City of Paso Robles 2019).

Mini Parks

Mini parks are generally less than three acres in size and are designed to serve a concentrated or limited population. They are often developed for a unique or single purpose such as a recreation facility for a neighborhood, a recreation or eating location for nearby employment centers, or to preserve an isolated open space resource such as a small cluster of oak trees. Typical improvements at mini parks include play areas, picnic tables, and landscaping. Mini parks in Paso Robles include Royal Oak Meadows Park, Lenco Park, and Mandella Park, which total approximately 3 acres (City of Paso Robles 2019).

Recreation Centers

Special facilities provide specific recreation opportunities for residents and visitors. The City of Paso Robles has four recreation centers: a recreation center at Centennial Park, a senior citizen center, a veterans' center, and a municipal aquatics facility (City of Paso Robles 2019).

Recreation Facilities Near the Project Site

The closest recreation facility to the Project site is Larry Moore Park. This two-acre neighborhood park is located approximately one mile northeast of the Project site. The closest regional or

community park to the Project is Centennial Park, located approximately 2.4 miles northeast of the Project site.

The locations of existing parks and open space within the city are shown in Figure 4.12-1. Table 4.12-2 describes the type, location, and amenities provided by parks and special facilities in the City of Paso Robles.

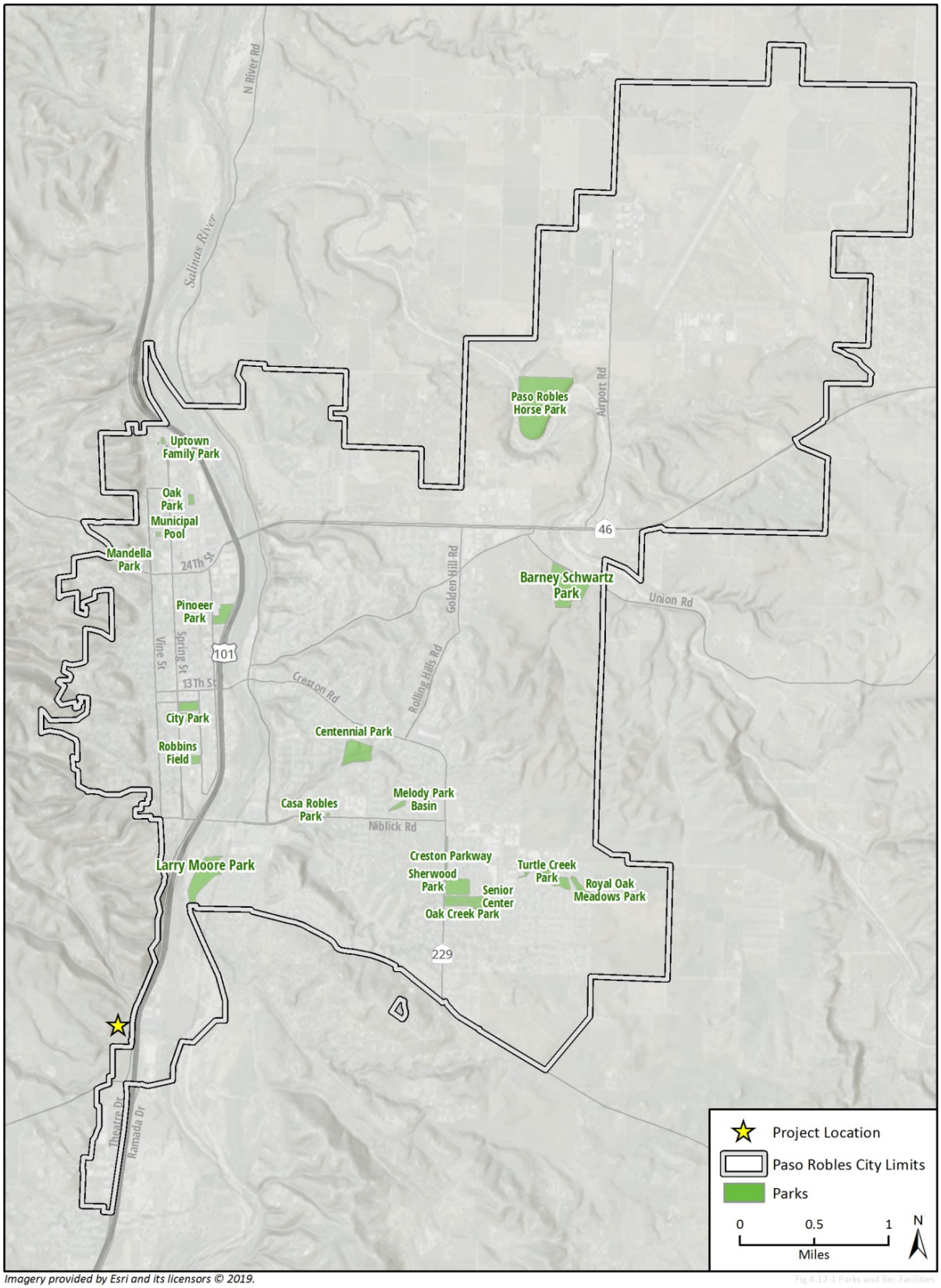
Table 4.12-2 Existing City of Paso Robles Parks and Recreation Facilities

Facility Name	Address	Facilities	Acres
Regional Park			
Barney Schwartz Park	2970 Union Road	Four picnic areas (covered, with barbeque), lake, four soccer fields (with lights), four softball/baseball fields (with lights), two concession stands, and two playgrounds	40.0
Subtotal			**40.0**
Community Park			
Centennial Park and Recreation Center	600 Nickerson Drive	Amphitheater, one basketball court, picnic area with barbeque, patio with barbeque, commercial kitchen, gymnasium, four meeting rooms, banquet room, outdoor aquatics facility, par course/ trail-dog friendly, community garden, pickleball courts, playground, tennis courts, YMCA program	16.0
Subtotal			**16.0**
District Parks			
Pioneer Park	21st Street and Riverside Avenue	One baseball field, one basketball court, spectator area, restrooms, playground, picnic area, lawn area, parking area, community skate park	6.8
Sherwood Park	Creston Road and Scott Street	Three baseball fields (one with lights), basketball courts, picnic areas (one with barbeque), Parks-4-Pups off-lease dog park, Sherwood forest playground, two soccer fields, four tennis courts, and one volleyball court	12.6
Oak Creek Park	Creston Road and Cedarwood Drive	Playground, picnic facilities, walking path	10.5
Subtotal			**28.9**
Neighborhood Parks			
Paso Robles City Park	Spring Street and 12th Street	Picnic area (with barbeque), Carnegie Library and sculpture, gazebo, horseshoe pits, playground, and restrooms.	4.8
Melody Park	Caddle Lane and Country Club Drive	Playground, basketball court, jogging path	3.0
Turtle Creek Park	Brookhill Drive	Lawn area, bulletin board, picnic area, small BBQ pits	4.5
Lawrence Moore Park	155 Riverbank Lane	Playground, restrooms, small ballfield, picnic area, open turf area	2.0
Robbins Field	Park Street and 6th Street	One lighted softball field, spectator area, restrooms, announcing booth, scoreboard	2.4
Subtotal			**16.7**

Facility Name	Address	Facilities	Acres
Mini Parks			
Royal Oak Meadows Park	Parkview Lane and Poppy Lane	Lawn area, playground, small ballfield, picnic facilities	2.4
Lenco Park (Casa Robles)	Niblick Road and Appaloosa Drive	Playground, small BBQ area, picnic area	0.3
Mandella Park	Fairview Land and Nacimiento Lake Drive	Lawn Area	0.3
Subtotal			**3.0**
Recreation Centers			
Centennial Park Recreation Center	600 Nickerson Drive	Recreation Services offices, full court gym used for community sports (basketball, volleyball and soccer) and many different classes and activities, large group barbecue area, grassy picnic areas, amphitheater, walking paths, playground, two outdoor half-court basketball courts, four lighted tennis courts, five pickleball courts, community garden, meeting rooms	N/A
Senior Citizen Center	270 Scott Street	5,375 square foot building with a large meeting hall, commercial kitchen, smaller meeting rooms and offices for individual programs. Secured patio that shares a common parking lot with concrete paths planned to connect to future park development.	N/A
Veterans Center	240 Scott Street	3,780 square foot building with a large meeting hall, commercial kitchens, smaller meeting rooms and offices for individual programs. Secured patio that shares a common parking lot with concrete paths planned to connect to future park development.	N/A
Municipal Aquatics Center	28th and Oak Streets	Indoor therapy pool and outdoor pool with diving board and lanes.	N/A
Subtotal			**N/A**

Source: City of Paso Robles, General Plan Parks and Recreation Element Appendix, 2003

Figure 4.12-1 Existing Parks and Open Space



Imagery provided by Esri and its licensors © 2019.
Additional data provided by City of Paso Robles, 2019.

Fig 4.12-1 Parks and Rec Facilities

e. Library and Other Facilities

There is one library, Paso Robles City Library, in the city. Paso Robles City Library provides reading materials, online resource databases, a study center for children after school, computer use services, and various reading programs and related events. According to the City of Paso Robles Library Facilities Assessment Report, the library building is approximately 22 years old and is still in the beginning of its projected 120-year life cycle. The library is approximately 18,678 square feet (RA Architects and Engineers 2018). Based on the library's square footage and an existing service population of 31,559, the ratio of square feet of library space per capita is 0.6, which meets the City standard of 0.5 square feet per capita. The Paso Robles Library Five Year Plan established a goal for the year 2025 to expand the library to meet the needs for the projected city population of 44,000.

f. Regulatory Setting

City of Paso Robles General Plan

Land Use Element (2014)

The City of Paso Robles General Plan is intended to guide land use planning by providing goals and policies to minimize the adverse effects to public services. Goals and policies that are applicable to the Project include:

Policy LU-4A: Service Levels. Strive to ensure that City services and facilities are maintained at current levels and/or adopted standards, and are funded as revenues become available. These standards are summarized as follows:

Police	Maintain a ratio of 0.5 non-sworn personnel per 1,000 population. Maintain a ratio of 1.4 to 1.6 sworn personnel per 1,000 population.
Emergency Services	Response goal of 4 minute response time 90% of the time anywhere in the City of Paso Robles. Maintain a ratio of 0.8 to 1.3 firefighters per 1,000 population.
Library	Maintain 0.5 square feet per capita of library facilities.

Policy LU-4B. Support the public school districts' efforts to ensure that new development mitigates its impacts to public schools, particularly in avoiding overcrowding conditions. The following programs should be implemented unless the City Council finds that specific economic, social, environmental or other considerations make infeasible implementation of the program or aspect of the program in a particular situation.

Action Item 1. Enable the collection of those impact fees for development of capital facilities for public schools that are permitted by state law to be applied to the issuance of building permits.

Action Item 2. Investigate and implement, if feasible, means to eliminate shortfalls that may result from the insufficiency of those impact fees to fund the acquisition of sites and construction of public schools. Such means may include, but would not be limited to, the following:

1. Conditioning legislative actions such as specific plans and rezones upon payment of supplemental fees, or making dedications of land in lieu of fees; arrangements should be investigated to enable such fees to be paid or dedications to be made at either the time of building permit issuance or prior to issuance of a Certificate of Occupancy.

2. Formation of Community Facilities (Mello-Roos) Districts or equivalent tools which include funding for acquisition of sites for and construction of public schools.

Action Item 3. Support the school districts' request that public school sites be located in accordance with the following standards:

3. Elementary Schools (grades K-5) need 10 acres of relatively flat or gently rolling land located in the center of an area with approximately 590 students, on a collector street and preferably not on an arterial street;
4. Middle Schools (grades 6-8) need 20 acres of relatively flat or gently rolling land located in the center of an area with approximately 900 students, on either a collector or an arterial street;
5. High Schools (grades 9-12) need 40 acres of relatively flat or gently rolling land located in the center of an area with approximately 2,250 students and on an arterial street.

Action Item 4. Refer development applications to the Paso Robles Union School District, Paso Robles Joint Union High School District, and Templeton Unified School Districts for comments and information. Seek to minimize traffic and circulation problems in the vicinity of school sites.

Action Item 5. Facilitate the provision of schools by continuing to work closely with the school districts during the site selection and development process. For example, when development proposals are submitted for large projects triggering needs for additional schools, the districts should determine which parcels would be appropriate school sites, and specify appropriate location, accessibility and land use compatibility standards for school site selection.

Parks and Recreation Element (2003)

The city's General Plan Parks and Recreation Element describes existing parks and recreation facilities, activities, and financing in Paso Robles. The following Parks and Recreation Element policies establish parkland provision standards in the city:

Policy PR-1A: Park and Recreation Facilities. Strive to achieve a 7-acre per 1,000 population parkland standard.

Policy PR-1B: Master Plan. Develop a Master Plan, Recreational Facility, & Trails Plan addressing Citywide needs and financing for development, maintenance, and operation through the year 2025.

Paso Robles Municipal Code

According to the Paso Robles Municipal Code Section 16.04.010, *Zones Established*, the entire incorporated area of the City of Paso Robles is established as the fire district area. Municipal Code Chapter 16.08, *Fire Department*, outlines the terms of the fire department including staffing, duties, equipment, and the terms of when Emergency Services can provide service outside the city limits.

The city has adopted the California Fire Code and Municipal Code Chapter 17.04, *Uniform Codes*, establishes the standards and requirements for buildings and construction. Direction on fire sprinklers in building and building identification is addressed in Municipal Code Section 17.04.030, which details changes or additions to the California Fire Code.

City of Paso Robles Development Impact Fees

The City of Paso Robles has adopted a development impact fee calculation and justification study and subsequent documentation establishing development impact fees for all development within the City (Resolution 14-035). The fees collected pursuant to Resolution 14-035, including fees for transportation, park development, public safety, public facilities, and library, shall be used to finance public facilities described or identified in the Development Impact Fee Justification Study, the Master Facilities Plan, Circulation Element, or other such facility master plans adopted by the City. Development impact fees for non-residential land uses are assessed based upon the square footage of the building and at the rates shown on the adopted Development Impact Fees Summary at the time of project approval.

Community Facilities District Special Tax for New Development

The Community Facilities District (CFD) finances fire protection services, police protection services, and library services (Resolution 05-063). The City of Paso Robles has adopted the "Special Tax" to finance public services for new development within the CFD. Pursuant to CFD Resolution 2005-1, the cost of the Special Tax is determined by the City Council and is dependent on land use. A Fiscal Impact Report has been prepared by the city to determine the CFD Special Tax rate that would address potential public service impacts. The maximum Special Tax for developed property is increased annually and is determined by the rate of change for the blended Los Angeles Urban and San Francisco Urban Consumer Price index during the previous fiscal year.

Quimby Act (1975)

The Quimby Act gives cities and counties the authority to require the dedication of land or payment of in-lieu fees, or a combination of both, for park and recreation purposes as a condition of approval of a tract map or parcel map. The Quimby Act allows fees to be collected for up to five acres of parkland per 1,000 residents.

4.12.2 Impact Analysis

a. Methodology and Significance Thresholds

Assessment of impacts is based on review of public services facility planning documents, and direct contact via phone and/or e-mail with service providers to identify whether new or physically altered facilities would be required as a result of the Project, and whether the physical effects of any such facilities can be ascertained at this time.

In accordance with Appendix G of the State CEQA Guidelines, the Project would result in potentially significant impacts relating to public services if it would:

1. 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
    b. Police protection
    c. Schools

d. Parks
e. Libraries

2 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.

3 Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

b. Project Impacts and Mitigation Measures

Threshold 1a:	Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or result in the 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 fire protection services?

Impact PS-1 THE PROJECT WOULD INCREASE THE DEMAND FOR FIRE PROTECTION SERVICES, SUCH THAT NEW OR EXPANDED FACILITIES WOULD BE NEEDED TO MEET THE CITY'S STANDARD RESPONSE TIME AND LEVEL OF SERVICE STANDARD. POTENTIAL IMPACTS RESULTING FROM SUCH NEW OR EXPANDED FACILITIES WOULD BE SPECULATIVE AT THIS TIME DUE TO UNCERTAINTY REGARDING THE TIMING, DESIGN, AND FINAL PRECISE LOCATION OF THE FACILITIES.

The Project site is not currently served by the City of Paso Robles Department of Emergency Services. However, Emergency Services has automatic and mutual aid contractual agreements with the CAL FIRE and the other surrounding municipal departments for emergency response to areas outside, but in close proximity to the city, including the Project site. Upon annexation to the city, the Project site would be primarily served by city Emergency Services.

The Project includes up to 80 new resort residential units and 17 workforce housing units, resulting in a total of 97 new dwelling units. The 80 potential resort residential units would likely be used as vacation properties, not full time residents that would generate new population in the city. However, as a conservative estimate, all 97 potential dwelling units on the Project site are considered as potentially population generating. Accordingly, these dwelling units could generate up to 263 new residents in the city (97 dwelling units x 2.71 people/unit [DOF 2019]). The Project also includes additional structural development, including hotel and commercial uses, and associated amenities, which may require fire protection response and services in the event of an emergency. In combination with the increased population generated by the project, the hotel and commercial development would potentially increase demand on city Emergency Services. The city's Fire Code requires that all new residential structures install fire sprinkler systems. The proposed new hotels and commercial centers would also be required to have fire sprinkler systems, and other emergency service provisions in accordance with building codes adopted by the city. The Project as a whole would include municipal water service and fire hydrants along the internal roadways, consistent with the subdivision improvement requirements of the city.

The potential 263 new residents generated by the Project would not result in the need for additional firefighters, to provide the city's minimum service ratio of 0.8 firefighters for each 1,000 new residents. The addition of 263 residents to the city's 2019 population of 32,212 people would result in a city-wide service ratio of 0.83, which meets the city's established service ratio (27 existing firefighters/[(32,212 people + 263 new residents)/1,000]).

As discussed in Section 4.12.1, *Setting*, the Fire Department's average response time standard of four minutes for 90 percent of the calls is not currently being met and a new fire station facility is currently planned regardless of whether or not the Project is implemented. Although the new fire station is not likely to respond directly to calls at the Project site due to other stations located closer to the site, the planned new facilities and associated personnel would alleviate demand pressures on Emergency Services citywide. However, the addition of up to 97 dwelling units, hotel, and commercial uses would increase the total number and frequency of simultaneous and mutual aid request calls received and would result in further exceedance of the average response time standard, which would contribute to the existing need for a new facility to achieve the city's response time standard (Stornetta 2019). New water systems for proposed development in the Project site are required by the city to be designed to provide adequate fire flows. As a condition of Project approval the applicant must prepare and submit water distribution plans that identify the locations of all services, gate valves, air vacuum release valves, blow-offs, and fire hydrants as approved by the City Engineer. The Project would be also required to pay the CFD Special Tax at a rate determined by the city's Fiscal Impact Report to offset its contribution to this impact by providing funding for additional firefighters, equipment, and a new fire station facility to serve the city. Payment of the required CFD Special Tax would ensure the city has available funds to maintain and develop fire protection services to support future development in the city, including the proposed Project.

At the time a new fire station facility is proposed, the proposed facility would be subject to city review, including CEQA environmental analysis for any discretionary approvals. Environmental analysis would identify mitigation measures required to avoid, minimize, or reduce any identified environmental effects. The types of impacts that could be identified include effects related to encountering hazardous materials, cultural resources, or biological resources on the site during project construction. During operation of the fire station facility, potential environmental effects could include changing traffic pattern and intermittent noise from emergency sirens. A project-level analysis of the planned fire station facility would be speculative at this time due to uncertainty regarding project timing, design, and final precise location.

Mitigation Measures

No mitigation measures are required because this impact would be speculative.

Threshold 1b:	Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or result in the 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 police protection services?

Impact PS-2 THE PROJECT WOULD NOT IMPACT POLICE SERVICES SUCH THAT NEW OR EXPANDED FACILITIES WOULD BE REQUIRED. IMPACTS TO POLICE PROTECTION SERVICES WOULD BE CLASS III, LESS THEN SIGNIFICANT.

Upon annexation to the city, PRPD would provide police protection service to the Project site. As described in Section 4.14.1, *Setting*, the City's General Plan Land Use Element (2014) calls for a ratio of 1.4 to 1.6 sworn police personnel per 1,000 residents, which is not currently being met. The project includes up to 97 new dwelling units, which would generate an estimated 263 residents in

the City (97 dwelling units x 2.71 people/unit [DOF 2019]). The Project also includes development of hotel and commercial uses, and associated amenities, which may require police protection response and services in the event of an emergency. The potential 263 new residents generated by the Project would not directly result in the need for additional police personnel, to provide the city's minimum service ratio of 1.4 sworn police personnel for each 1,000 residents. However, because the Project includes the development of up to 97 dwelling units, as well as hotel and commercial uses, the project would exacerbate the existing, insufficient police service ratio identified for the city. Project development would be required to pay the CFD Special Tax at a rate determined by the city's Fiscal Impact Report, which funds additional staff and facilities as needed. Payment of the required CFD Special Tax would offset the increased demand for police services by providing funding for additional police officers to serve the area, ensuring the city has available funds to maintain and develop police protection services to support future development in the city, including the proposed Project. The Project would not result in a need for new or expanded police facilities. The availability of funding to maintain and develop police services and facilities to support future development in the city and the requirement for project-specific environmental review for any new facilities required in the city would ensure that the potential impact of the Project on the demand for police services would be less than significant.

Mitigation Measures

No mitigation measures are required because this impact would be less than significant.

Threshold 1c:	Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or result in the 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 schools?

Impact PS-3 DEVELOPMENT OF THE PROJECT SITE WOULD INCREASE THE DEMAND FOR SCHOOLS SUCH THAT NEW FACILITIES AND STAFF WOULD BE REQUIRED TO PROVIDE ADDITIONAL STUDENT CAPACITY. THROUGH THE REQUIRED PAYMENT OF STATE-MANDATED IMPACT MITIGATION FEES, POTENTIAL IMPACTS TO PUBLIC SCHOOLS WOULD BE CLASS III, LESS THAN SIGNIFICANT.

The Project would result in development of up to 97 new dwelling units. Although 80 of these units would be resort residential units and likely be used as vacation properties, not full time residential units, these units are considered as full-time, population generating units as a conservative reasonable worst-case analysis. Development of the new dwelling units on the Project site would increase the number of students that would attend PRJUSD schools. The proposed hotel and commercial uses, and related amenities, would not generate new students. Current student generation factors for the PRJUSD are shown in Table 4.12-3.

Table 4.12-3 Student Generation of the Project

Land Use	School Level	Student Generation Factor[1]	Units	Students
LDR – Low-Density Residential	Elementary School	0.2179		17
	Middle School	0.1095	80	9
	High School	0.1615		13
HDR – High-Density Residential	Elementary School	0.2684		5
	Middle School	0.1108	17	2
	High School	0.1234		2
Total	**Elementary School**			**22**
	Middle School			**11**
	High School			**15**

[1] Cherly Mollan, Manager of Facilities and Planning, Personal Communication, May 7, 2019.

Based on these student generation rates, the Project would contribute up to 22 elementary students, 11 middle school students, and 15 high school students for a total of 48 new students at PRJUSD schools. As discussed in Section 4.14.1(c), the School District does not have sufficient capacity to accommodate the expected student enrollment without additional or expanded facilities (PRJUSD 2019). Development facilitated by the Project would increase the demand for schools such that new facilities and staff would be necessary.

The 2016 Facilities Master Plan includes remodel and expansion plans intended to accommodate future student body growth. The potential environmental effects of specific facility improvements would be subject to city review, including CEQA environmental analysis for any discretionary approvals. Environmental analysis would identify mitigation measures required to avoid, minimize, or reduce any identified environmental effects.

New development on the Project site would be required to pay state-mandated impact mitigation fees. At the time of issuance of building permits developers are required to pay School District rate of $2.63 per square foot of residence per state-mandated impact mitigation fees. This rate is not the same as the current state maximum fee and the School District may raise its fees in the future. These fees would offset the increased demand for school services by providing funding for additional facilities to serve the area. Without sufficient funding, the School District would be unable to construct adequate facilities to accommodate student enrollment growth attributed to the full build out of the Project site. Section 65995(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998) states that payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." Therefore, through the payment of state-mandated impact mitigation fees impacts would be less than significant.

Mitigation Measures

No mitigation measures are required because this impact would be less than significant.

Threshold 1d:	Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or result in the 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 parks?
Threshold 2:	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?
Threshold 3:	Would the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Impact PS-4 POTENTIAL NEW RESIDENTS AND VISITORS ON THE PROJECT SITE WOULD BE ACCOMMODATED BY ONSITE RESORT AND ASSOCIATED RECREATIONAL AMENITIES. THE PROJECT WOULD ALSO BE REQUIRED TO PAY CITY PARKLAND DEVELOPMENT FEES. THEREFORE, IMPACTS TO PARKS AND RECREATIONAL FACILITIES WOULD BE CLASS III, LESS THAN SIGNIFICANT.

The project would result in urban development, including new resort residential, hotel, and commercial land uses. The project would include up to 97 new dwelling units which could add an estimated 263 new residents (97 dwelling units x 2.71 people/unit [DOF 2019]). New resort residential uses and hotel and commercial visitors would have access to onsite amenities and recreational areas. Therefore, residents and visitors associated with the Project would not be expected to substantially increase demand on city parks and recreation facilities. In addition, the Project applicant would be required to pay City parkland development fees (Quimby Act fees) in accordance with the City's Development Impact Fee program. Parkland development fees are intended to offset increased usage of existing recreational facilities attributed to the Project buildout. Proposed development may be eligible for a fee credit at the City's determination, if parks are provided as part of the Project. Therefore, the Project would not significantly increase the use of existing neighborhood and regional parks or other recreational facilities, or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Mitigation Measures

This impact would be less than significant without the need for mitigation.

Threshold 1e:	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 services ratios, response times or other performance objectives for public libraries?

Impact PS-5 THE PROJECT WOULD INCREASE DEMAND FOR LIBRARY SERVICES SUCH THAT NEW OR EXPANDED FACILITIES WOULD BE NEEDED TO MEET THE CITY'S SERVICE STANDARD. HOWEVER, POTENTIAL IMPACTS RESULTING FROM SUCH NEW OR EXPANDED FACILITIES WOULD BE SPECULATIVE AT THIS TIME DUE TO UNCERTAINTY REGARDING THE TIMING, DESIGN, AND FINAL PRECISE LOCATION OF THE FACILITIES.

The project includes up to 97 new dwelling units, which would generate up to 263 residents in the city (97 dwelling units x 2.71 people/unit [DOF 2019]). The potential addition of 263 residents would result in a library square footage per capita ratio of 0.59 square feet per capita (18,678 square feet/[31,244 existing residents + 263 project residents]). This would not result in a reduction to library square footage per capita that would exceed the City's standard of 0.5 square feet per capita. The Paso Robles Library Five Year Plan sets a goal for the year 2025 to expand to meet the needs for the projected city population growth. The Project would be required to pay the city's CFD Special Tax to help fund proposed library expansions and offset potential impacts to library facilities. Payment of the required CFD Special Tax would ensure the city has available funds to maintain and develop library services to support future development in the city, including the proposed Project. Any new or expanded library facilities would be subject to city review, including CEQA environmental analysis for any discretionary approvals. Environmental analysis would identify mitigation measures required to avoid, minimize, or reduce any identified environmental effects. The types of impacts that could be identified include effects related to encountering hazardous materials, cultural resources, or biological resources on the site during project construction. During operation of the new or expanded library facility, potential environmental effects could include changing traffic patterns. A project-level analysis of such facilities would be speculative at this time due to uncertainty regarding project timing, design, and final precise location.

Mitigation Measures

No mitigation measures are required because this impact would be speculative.

4.12.3 Cumulative Impacts

As discussed in Section 3.3, the cumulative analysis in this EIR is based on the City's cumulative project list. Cumulative development in the city would result in additional residential units and non-residential development.

Fire Services

Cumulative development would be considerable if it would delay response times or exceed service level ratios for fire services such that new or expanded facilities would be required. As discussed in Section 4.13.1, *Setting*, the city's existing service ratio is approximately 0.83, meeting the Emergency Services standard of 0.8 to 1.3 firefighters per 1,000 population. However, the average response time standard of four minutes for 90 percent of the calls is not currently being met. An increase in population as a result of cumulative development in the city would further decrease

service levels in the absence of additional staffing, equipment, and facilities. The Project would incrementally increase the service levels and contribute to the need for new or expanded facilities, the construction of which could cause environmental impacts. As discussed in Impact PS-1, a new fire station is currently planned, regardless of whether or not the Project is implemented, approximately 6.1 miles northeast of the Project site to address the cumulative citywide need for expanded fire protection services. The new fire station would be subject to city review, including CEQA environmental analysis for any discretionary approvals. Environmental analysis would identify mitigation measures required to avoid, minimize, or reduce any identified environmental effects. A project-level analysis of the planned fire station facility would be speculative at this time due to uncertainty regarding project timing, design, and final precise location.

Police Services

Cumulative development would be considerable if it would delay response times or exceed service level ratios for police services such that new or expanded facilities would be required. As discussed in Impact PS-2, police department response times in the city are below the city's established standard. An increase in the city's population as a result of cumulative development would further decrease service levels in the absence of additional staffing, equipment, and facilities. The Project would incrementally worsen service levels and contribute to the need for additional staffing and facilities. Project development would be required to pay the CFD Special Tax at a rate determined by the city's Fiscal Impact Report, which funds additional staff and facilities as needed, to offset the increased demand for police services by providing funding for additional police officers to serve the area. Payment of the required CFD Special Tax would ensure the city has available funds to maintain and develop police protection services to support cumulative development in the city, including the proposed Project. The availability of funding to maintain and develop police protection services to support cumulative development in the city and the requirement for project-specific environmental review for any necessary new police facilities would ensure the Project's contribution to this cumulative impact would be less than significant.

Schools

Cumulative development would be considerable if it would generate student population such that new or expanded facilities would be required. As discussed in Impact PS-3, PRJUSD schools are expected to be at our near capacity with the projected student enrollment for the year 2022. Without increases in staffing and facilities to address the anticipated population increase, potentially significant impacts could occur. However, new development on the Project site would be required to pay state-mandated impact mitigation fees. These fees would be used to fund facilities, staff, and equipment to offset service demand impacts. Therefore, the Project's contribution to cumulative impacts to schools would not be cumulatively considerable.

Parks and Recreation

The City of Paso Robles has a population of 31,244 (DOF 2019). Based on the city's adopted parkland standard, approximately 221 acres of total parkland should be provided in the city. There is currently approximately 105 acres of parkland in the city. This results in approximately 3.3 acres of total parkland per 1,000 residents. Based on existing population and parks acreage conditions, the City is 114 acres of parkland short of meeting its adopted parkland standard (Policy PR-1A of the General Plan Parks and Recreation Element).

The Project would not add community parkland to the city. The Project would add up to 263 residents to the city, as well as resort and associated recreational amenities to serve the potential new residents and visitors. Individual projects in the City, including the Project, would be required to pay city parkland development fees in accordance with the city's Development Impact Fee program. Payment of city parkland development fees in accordance with the city's Development Impact Fee program would ensure the city has available funds to maintain and develop new parkland to support cumulative development in the city, including the proposed Project. Additionally, new resort residential uses and hotel and commercial visitors would have access to onsite amenities and recreational areas. Therefore, residents and visitors associated with the Project would not be expected to substantially increase demand on city parks and recreation facilities, and the Project would not contribute to cumulative adverse impacts to existing neighborhood and regional parks or other recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Library

Cumulative development would be considerable if it would increase the demand for library services such that new or expanded facilities would be required. Cumulative development in the city would increase the demand for library services. Without increases in staffing and facilities to address the anticipated population increase, potentially significant impacts could occur. The Paso Robles Library Five Year Plan sets a goal for the year 2025 to expand to meet the needs for the projected City population growth. New development on the Project site would be required to pay the City's CFD Special Tax. These fees would be used to fund facilities to offset service demand impacts. Payment of the required CFD Special Tax would be used to fund facilities to offset service demand impacts, ensuring the city has available funds to maintain and develop library services to support cumulative development in the city, including the proposed Project.

Any new or expanded library facilities in the future would be subject to city review, including CEQA environmental analysis for any discretionary approvals. Environmental analysis would identify mitigation measures required to avoid, minimize, or reduce any identified environmental effects. A project-level analysis of such facilities would be speculative at this time due to uncertainty regarding project timing, design, and final precise location.

4.13 Transportation/Traffic

This section evaluates the potential transportation impacts of the Project. The analysis in this section is based on the June 2019 Revised Traffic and Circulation Study (Traffic Study), and the February 2020 Supplemental Traffic Analyses memoranda prepared by Associated Transportation Engineers (ATE) for the Project. A previous traffic study was prepared by ATE for the Project and peer reviewed by Central Coast Transportation Consulting (CCTC). The June 2019 Traffic Study includes revisions from that peer review and input from the city and from Caltrans. The analysis approach used in the Traffic Study and Supplemental Traffic Analyses was developed based on the City of Paso Robles Transportation Impact Analysis (TIA) Guidelines (Paso Robles July 2013), as well as County of San Luis Obispo standards for County facilities, and the California Department of Transportation (Caltrans) targets for Caltrans facilities. The Traffic Study and Supplemental Traffic Analyses are included in Appendix H.

4.13.1 Setting

a. Transportation Improvements Context and Background

The proposed Gateway Project site is located outside the southern border of the City of Paso Robles, approximately 2 miles south of the downtown and 2 miles north of Templeton. The site is bounded by United States Highway 101 (U.S. 101) and State Route 46 (SR 46) West. South Vine Street is currently located on the southeastern and eastern boundary of the Project site. There are three parcels located between the Project site and the intersection of U.S. 101 and SR 46 West. These parcels are collectively referred to as the “CENCO” property.

In recent years, the City of Paso Robles and Caltrans have worked cooperatively on the U.S. Highway 101/State Route 46 West Interchange Modification Project to relieve local and regional circulation problems and reduce existing and future congestion by improving the U.S. 101/SR 46 West interchange ramps, and relocating Theatre Drive to a new intersection with SR 46 West. In 2009, an Initial Study with Mitigated Negative Declaration was prepared and approved by Caltrans in coordination with the city, and Caltrans issued a Finding of No Significant Impact (FONSI) for the Interchange Modification Project (refer to Appendix H). Phase one of the Interchange Modification Project included the realignment of Theatre Drive to the west of the interchange, and has been completed. The Interchange Modification Project includes the realignment of South Vine Street through the CENCO property and the Project site as the second phase of improvements. The proposed final phase of the Interchange Modification Project is the construction of roundabouts at the U.S. 101/SR 46 West northbound and southbound ramp terminals.

As proposed, the alignment of South Vine Street will be shifted towards the west in a broad “S” curve to meet SR 46 West at the Theatre Drive intersection. This realignment of South Vine Street is described as Alternative 2 and shown in Figure 1.3-2 in the Initial Study with Mitigated Negative Declaration for the Interchange Modification Project (Appendix H). Also, refer to Figure 2-4 in Section 2, *Project Description*, of this EIR, which shows the proposed realignment in relation to the Project site, proposed Project components, and surrounding properties and roadways.

A final right-of-way alignment and land dedication for the South Vine Street realignment has been certified in the Settlement Agreement entered into by the city, the Gateway Project applicant and property owner (Quorum Realty Fund IV, LLC [Furlotti]), and CENCO Investments on August 2, 2016.

This Settlement Agreement outlines the design, construction, and improvement obligations of the city, Furlotti, and CENCO for the completion of the South Vine Street improvements.

The analysis of potential Project impacts in this section assumes implementation of the South Vine Street realignment in accordance with the terms of the Pre-Annexation and Development Agreement for the Project.

b. Roadway Network

This section describes the existing roadway network and its adjoining pedestrian, bicycle, and transit use in the Project vicinity. Figure 4.13-1 displays the existing roadway network surrounding the Project. The Project study area includes the following major roadways:

- U.S. 101 is a major north-south interstate facility connecting California, Oregon, and Washington. U.S. 101 is a four-lane freeway in the study area. Freeway access to/from the Project site is provided via ramps at the U.S. 101/SR 46 West interchange.
- SR 46 is an east-west highway connecting the Central Valley with the Central Coast. SR 46 West is a two-lane highway that extends west from U.S. 101 to SR 1 near Cambria. SR 46 East extends east of U.S. 101 and connects the City of Paso Robles with the San Joaquin Valley.
- South Vine Street, classified as an Arterial road by the city, is a two-lane road that fronts the west side of U.S. 101. South Vine Street extends northerly from SR 46 West into the City of Paso Robles.
- Theatre Drive, also classified as an Arterial road by the city, is a two-lane road that fronts the west side of U.S. 101. Theatre Drive extends from SR 46 West to the U.S. 101/Main Street interchange south of the City of Paso Robles.
- Ramada Drive, classified as a Local road by the city, is a two-lane road that fronts the east side of U.S. 101. The segment of Ramada Drive north of SR 46 West is located within the City of Paso Robles. The segment of Ramada Drive south of SR 46 West extends into San Luis Obispo County.
- Niblick Road is an east-west undivided and divided arterial with four travel lanes between Spring Street and Creston Road.

In addition, the U.S. 101/Main Street interchange, located in the County area adjacent to the community of Templeton and approximately 1.7 miles south of the Project site, is considered part of the Project study area roadway network for the purposes of the transportation/traffic analysis in this section.

c. Alternative Travel Modes

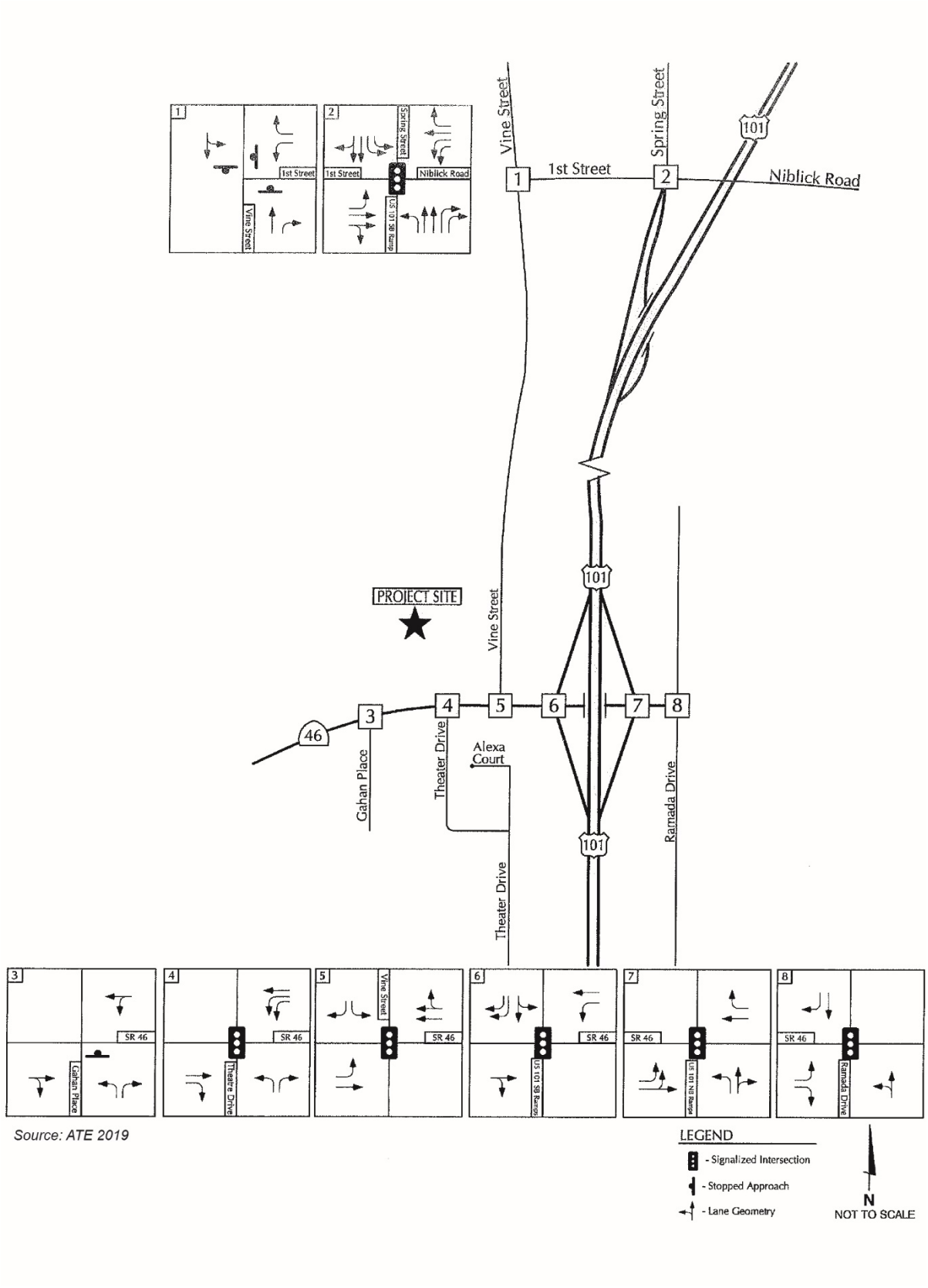
Pedestrian Facilities

Pedestrian facilities include sidewalks, crosswalks, multi-use paths, and pedestrian signals at signalized intersections. There are no pedestrian facilities on or immediately adjacent to the Project site. There were 0-3 pedestrians identified crossing the key study area intersections along the SR 46 West corridor during the Peak Summer Friday peak hour period.

Bicycle Facilities

Bicycle facilities in the study area consist of Class I, II, and III bikeways. Class I shared-use paths or bike paths are facilities with a separate right-of-way with crossflows by vehicles minimized. Class II bike lanes provide a striped lane for one-way bicycle travel on the side of the street adjacent to

Figure 4.13-1 Existing Roadway Network



vehicle traffic. Class III bike routes consist of a roadway that is shared between bicycle and vehicle traffic with supplemental bike signage. In December 2018, the city adopted the Bicycle and Pedestrian Master Plan. As shown on Figure 4-4 of the Bicycle and Pedestrian Master Plan, an existing Class II bike lane is located along South Vine Street in the Project vicinity. During the Peak Summer Friday peak hour period, 1 bike movement was recorded at SR 46 West/Theatre Drive, SR 46 West/Vine Street, SR 46 West/U.S. 101 SB Ramps, and at SR 46 West/U.S. 101 NB Ramps intersections.

Transit Facilities

The City of Paso Robles is served by the Paso Express transit system. Paso Express is a fixed-route transit service that operates along designed routes with the city. The system includes Routes A and B that run throughout the city; however, these routes do not extend to the Project area. The Paso Express system connects riders to the San Luis Obispo Regional Transportation Agency (SLORTA) system for travel outside of the city.

The Paso Express connects with SLORTA Route 9, which travels northbound and southbound between the City of Paso Robles and the communities to the south (e.g. Templeton, Atascadero, Santa Margarita, and San Luis Obispo). Route 9 buses run at approximately 1-hour headways, with the nearest bus stop to the Project site at the Target Shopping Center just south of the site.

d. Existing Traffic Conditions

The Traffic Study considers the effects of the Project with respect to freeway segments, study area roadways, and intersections. This section describes the existing transportation system and current operating conditions in the study area, which is depicted on Figure 4.13-1.

Existing traffic counts were collected in April 2017, August 2017, and June 2018 at the study area intersections. Existing traffic volumes for U.S. 101 were provided by CCTC. A detailed explanation of the traffic count methodology and the traffic count data are included in Appendix H. Figure 4.13-2 shows the existing AM and PM peak hour traffic volumes at the study area intersections.

Freeway Operations

Table 4.13-1 shows the existing densities and LOS for U.S. 101.

Table 4.13-1 Existing Freeway Operations

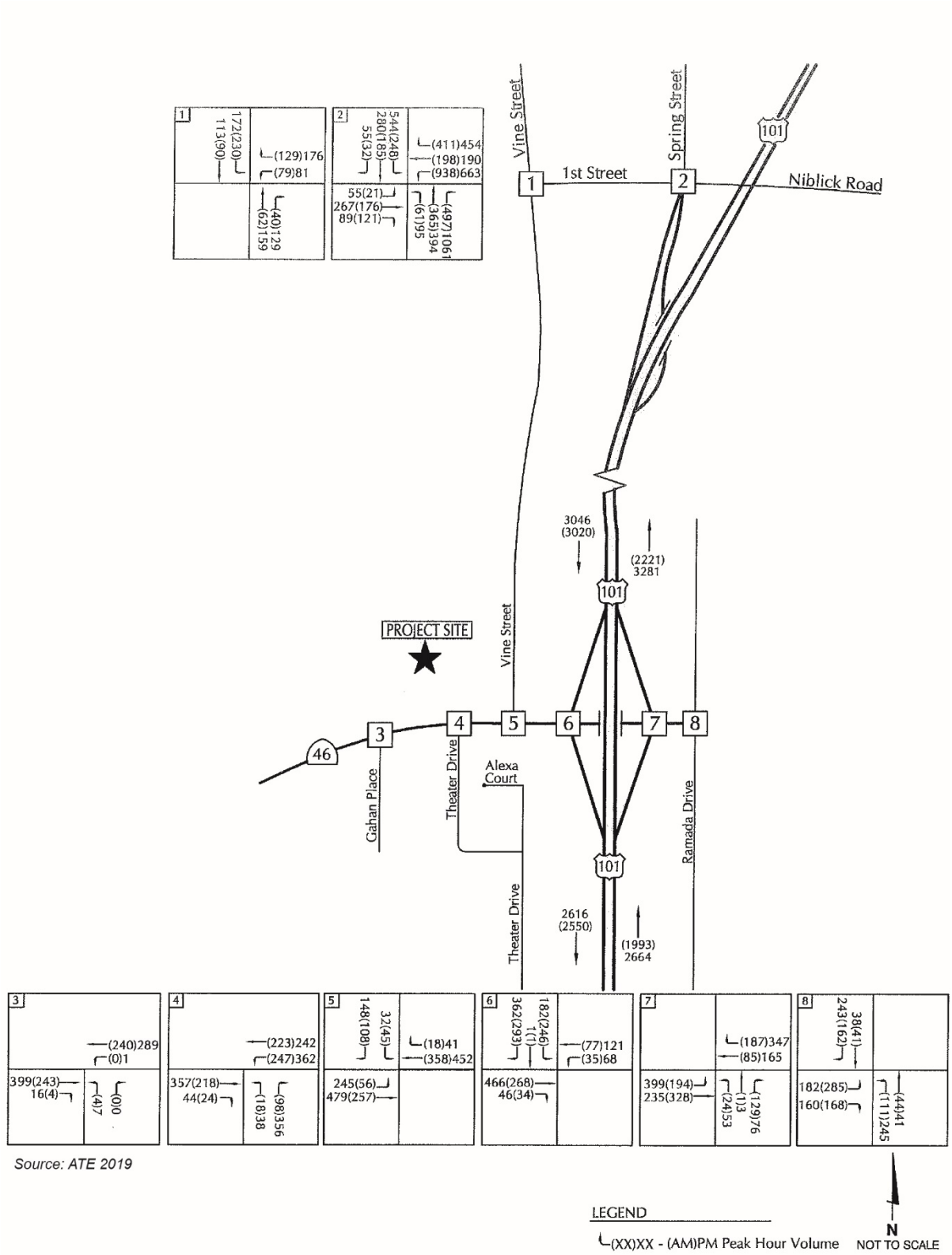
		AM Peak Hour		PM Peak Hour	
Segment/Direction	Lanes	Density[1]	LOS[2]	Density[1]	LOS[2]
U.S. 101 – North of SR 46 West					
Northbound	2	19.9	C	28.0	**D**
Southbound	2	28.5	**D**	28.6	**D**
U.S. 101 – South of SR 46 West					
Northbound	2	17.7	B	21.2	C
Southbound	2	22.6	C	23.2	C

[1] Density in passenger car equivalents per lane per mile.

[2] LOS based on density pursuant to Transportation Research Board's Highway Capacity Manual (HCM).

Note: **Bold** values exceed Caltrans LOS C target

Figure 4.13-2 Existing Volume



Source: ATE 2019

As shown in Table 4.13-1, current traffic flows on the segment of U.S. 101 north of SR 46 West operate at LOS D during the AM and PM peak periods. Therefore, the existing condition for freeway operations on U.S. 101 north of SR 46 West exceeds the Caltrans LOS C target for U.S. 101.

Intersection Operations

Existing LOS were calculated for the study area intersections using the SYNCHRO traffic modeling program, which implements the operations method outlined in the Highway Capacity Manual (HCM). The SYNCHRO traffic modeling program was coded to replicate field conditions for the level of service (LOS) analyses. The U.S. 101/SR 46 West interchange is configured as a "tight diamond" with the adjacent frontage roads (South Vine Street on the west side and Ramada Drive on the east side) located less than 100 feet from the U.S. 101 ramp intersections. All four intersections are signalized. Due to their close spacing, the two intersections on the west side of the interchange (U.S. 101/SR 46 West southbound and SR 46 West/South Vine Street) operate as a single unit and their LOS is calculated as a single unit. Similarly, the two intersections on the east side of the interchange (U.S. 101/SR 46 West northbound and SR 46 West/Ramada Drive) operate as a single unit and their LOS is calculated as such.

Intersection operations include traffic movements between the two sides of the interchange, which are coordinated by the signal timing so that queues between the intersections are managed. The existing intersections operate in a “push-pull” signal system to manage vehicle queues. Caltrans intersections have been evaluated using LOS criteria as contained in the HCM. Vehicular LOS is based on control delay, which is the total of time spent decelerating when approaching an intersection, time spent stopped or moving in a queue at an intersection, and time spent accelerating after an intersection. The traffic movements at intersections are described in the ATE Traffic Study (Appendix H, on page 13). Table 4.13-2 shows the existing LOS for the study area intersections.

Table 4.13-2 Existing Intersection Operations

		Delay Per Vehicle/LOS[1]	
Intersection	**Control**	**AM Peak**	**PM Peak**
South Vine St/1st St	All-Way Stop	10.1 Sec./LOS B	10.1 Sec./LOS B
U.S. 101 Ramps-Spring St/1st St-Niblick Rd	Signal	31.1 Sec./LOS C	**35.3 Sec./LOS D**
SR 46 West/Gahan Pl	1-Way Stop	14.0 Sec./LOS B	15.8 Sec./LOS C
SR 46 West/Theatre Dr	Signal	10.1 Sec./LOS B	13.3 Sec./LOS B
SR 46 West/U.S. 101 SB Ramps[2] SR 46 West/South Vine St[2]	Signal	24.9 Sec./LOS C	31.3 Sec./LOS C
SR 46 West/U.S. 101 NB Ramps[3] SR 46 West/Ramada Dr[c]	Signal	27.2 Sec./LOS C	27.0 Sec./LOS C

[1] LOS based on average delay per vehicle in seconds pursuant to HCM operations methodology.

[2] LOS represents average delay per vehicle for all movements using the SR 46 West/US 101 SB Ramps and SR 46 West/Vine Street intersections since they operate as a single unit.

[3] LOS represents average delay per vehicle for all movements using the SR 46 West/US 101 NB Ramps and SR 46 West/Ramada Drive intersections since they operate as a single unit.

As shown in Table 4.13-2, the U.S. 101 Ramps-Spring Street/1st Street-Niblick Road intersection operates at the low end of LOS D during the PM peak hour (LOS D = 35.1-55.0 seconds). Three legs of this intersection are within the city (Spring Street, 1st Street, and Niblick Road) and the U.S. 101 on- and off-ramps are under Caltrans jurisdiction. The LOS D operations exceed the Caltrans LOS C target.

Existing County Facilities Intersection Operations

Potential impacts were assessed for the U.S. 101/Main Street interchange located in the County area adjacent to Templeton, approximately 1.7 miles south of the U.S. 101/SR 46 West interchange. Table 4.13-3 shows the existing AM and PM peak hour vehicle delays and LOS for the U.S. 101/Main Street interchange, located in the County unincorporated area adjacent to Templeton and approximately 1.7 miles south of the U.S. 101/SR 46 West interchange.

Table 4.13-3 Existing U.S. 101/Main Street Intersection Operations

		Delay/LOS	
Intersection/Movement	**Control**	**AM Peak Hour**	**PM Peak Hour**
Main Street/Theatre Drive	Stop Sign		
Northbound Theatre		5.1 Sec/LOS A	6.8 Sec/LOS A
Southbound Theatre		7.8 Sec/LOS B	9.5 Sec/LOS A
Eastbound Main		7.9 Sec/LOS A	10.0 Sec/LOS B
Westbound Main		1.5 Sec/LOS A	3.4 Sec/LOS A
Main Street/US 101 SB	Stop Sign		
Southbound Off-Ramp		22.1 Sec/LOS C	**35.1 Sec/LOS E**
Eastbound Main		0.0 Sec/LOS A	0.0 Sec/LOS A
Westbound Main		8.5 Sec/LOS A	8.6 Sec/LOS A
Main Street/US 101 NB	Stop Sign		
Northbound Off-Ramp		14.7 Sec/LOS B	**38.5 Sec/LOS E**
Eastbound Main		8.2 Sec/LOS A	8.7 Sec/LOS A
Westbound Main		0.0 Sec/LOS A	0.0 Sec/LOS A
Main Street/Ramada Drive	Stop Sign		
Southbound Ramada		6.6 Sec/LOS A	17.2 Sec/LOS C
Eastbound Main		0.4 Sec/LOS A	23.7 Sec/LOS C
Westbound Main		12.1 Sec/LOS B	13.8 Sec/LOS B

Note: **Bold** values exceed Caltrans LOS C target

As shown in Table 4.13-3, the southbound off-ramp at the U.S. 101/Main Street interchange and the northbound off-ramp at the U.S. 101/Main Street northbound interchange currently operate at LOS E during the PM peak hour, which exceeds the Caltrans LOS C and County LOS D targets for the interchange.

Existing Peak Hour Queues

Table 4.13-4 shows the existing queues for the U.S. 101/SR 46 West off-ramps during the weekday PM peak hour.

Table 4.13-4 U.S. 101/SR 46 West Off-Ramps – Existing Peak Queues Wednesday PM Peak Hour

Segment/Direction	Peak Queue[1] Existing (in feet)	Storage Provided[2] (in feet)	Queue Exceeds Storage?
U.S. 101 SB Off at SR 46W			
SB Left-Thru Lane	260	400 Feet	No
SB Right #1 Lane	195	620 Feet	No
SB Right #2 Lane	225	620 Feet	No
U.S. 101 NB Off at SR 46W			
NB Left-Thru Lane	70	265 Feet	No
NB Thru-Right Lane	50	900 Feet	No

[1] 95 percent peak queue forecasts rounded up to the nearest 5 feet.

[2] Storage provided in turn bays or storage provided on street segments.

As shown in Table 4.13-4, there is ample storage capacity on the U.S. 101/SR 46 West off-ramps during the Weekday PM peak period.

e. Regulatory Setting

Senate Bill (SB) 743

All agencies are required to switch from LOS delay metrics to vehicle miles traveled (VMT) reduction metrics for environmental analyses starting July, 1, 2020. The July 1, 2020 switch furthers the State's commitment to the goals of SB 375, Assembly Bill (AB) 32, and AB 1358. Senate Bill 743 adds Chapter 2.7, Modernization of Transportation Analysis for Transit-Oriented Infill Projects, to Division 13 (Section 21099) of the Public Resources Code. Key provisions of SB 743 include reforming California Environmental Quality Act (CEQA) analysis for aesthetics and parking for urban infill projects and replacing the measurement of automobile delay with VMT as a metric that can be used for measuring environmental impacts. Under SB 743, the focus of the environmental impacts of transportation shift from driver delay to reduction of greenhouse gas (GHG) emissions, creation of multimodal networks, and promotion of a mix of land uses, and LOS standards become local policy thresholds as adopted among individual agencies. This Project was evaluated using LOS delay as the Project was evaluated prior to the July 1, 2020 VMT adoption date.

San Luis Obispo County Council Of Governments (SLOCOG) Regional Transportation Plan (RTP)

The SLOCOG RTP is a long-range planning document for the region's transportation system. The RTP analyzes the transportation needs of the region into the future and identifies project priorities in order to improve the transportation system. The RTP offers a mix of mobility options and commits to a more sustainable transportation system through investments in public transportation, active transportation, highways, streets, and roads, and system efficiency.

City of Paso Robles General Plan

The City of Paso Robles General Plan is intended to guide the land use and transportation planning by providing goals, policies, and action items to specify how the transportation system in the City will grow and improve into the future. The 2018 Circulation Element Update Map is generally consistent with the 2011 Circulation Element Map, but it removes a number of infrastructure recommendations based of revised traffic projections and changes to the city's Circulation Element Goals, Policies, and Action Items. Earlier versions of the city's Circulation Element identified LOS D as a target LOS for all city roadways. Since 2011, the city has utilized Capacity Utilization as a means of determining impacts and not the strict LOS D threshold, which resulted in inefficient usage of infrastructure, with costly roadway widening to accommodate only brief periods of higher traffic levels (i.e., the worst minutes or hours of the day).

The following Circulation Element goals, policies, and actions to manage the transportation network in the city would apply to the Project.

GOAL CE-1: Establish a safe, balanced, efficient, and multimodal circulation system, focusing on the mobility of people, and preserving the City's small-town character and quality of life.

Policy CE-1A: Circulation Master Plan. Revise/update the City's Circulation Master Plan to address the mobility needs of all users of the streets, road and highways including motorists, movers of commercial goods, seniors, children, pedestrians, disabled persons, users of public transportation, and bicyclists as follows:

a. Improve the circulation network on a prioritized basis;
b. Provide adequate access for emergency vehicles and evacuation;
c. Improve mobility through and access to Downtown Paso Robles by implementing the City Council adopted Uptown/Town Centre Specific Plan;
d. Establish safe pedestrian and bicycle paths for children and their parents to schools and other major destinations such as Downtown, retail, and job centers;
e. Maintain mobility for all modes by encouraging flexible and off-set working hours; car and vanpooling; transit improvements; pedestrian and bikeway improvements; and public outreach as to the availability and benefit of alternative modes of travel;
f. Require new development to mitigate its impact on the transportation network.

Action Item 1. Maintain a multimodal Transportation Impact Fee (TIF) program (AB 1600) so that new development contributes to improvements that offset cumulative impacts to mobility. The impact fee program will list needed improvements to automobile, pedestrian, bicycle, and transit facilities.

Action Item 2. Establish development application conditions of approval to require access for all modes of travel, and to make appropriate improvements to the transportation system serving subject sites including frontage improvements, dedication of right-of-way, in tract improvements, and all improvements consistent with the Circulation, City Engineering Standards, and needed to mitigate transportation impacts.

Action Item 11. Evaluate new development projects and major roadway improvements in the context of the City's adopted transportation impact study guidelines that specify the process by which new development impacts are identified.

Action Item 12. The City will coordinate with Caltrans on planning and implementation of congestion management strategies on SR 46 East, SR 46 West, and US 101. These strategies will include improved connectivity for all modes of transportation across these corridors and

in areas on either side of these facilities. The City and Caltrans will work in concert with the most recent Regional Transportation Plan and Corridor Studies.

Policy CE-1D: Transit. Improve and expand transit services.

Action Item 2. Coordinate with the San Luis Obispo Regional Transit Authority to improve information available on transit options and support advertising/outreach programs for transit.

Action Item 5. Locate transit routes on streets serving medium and high-density development where feasible.

Action Item 6. Link neighborhoods to transit stops and Park and Ride Lots by providing direct bicycle and pedestrian access.

Action Item 7. Support the development of a transit/trolley loop serving the Downtown area to encourage a park-once strategy.

Action Item 9. Support convenient transit service to employment, education, and government centers as funding allows. Work with San Luis Obispo Regional Transit Authority (SLORTA) to provide fixed route and/or commuter bus service as appropriate.

Policy CE-1F: Pedestrian and Bicycle Access. Provide safe and convenient pedestrian and bicycle access to all areas of the City

Action Item 5. Improve streetscapes and install curb extensions at intersections where appropriate to reduce driving speeds and shorten pedestrian crossing distances.

City of Paso Robles Transportation Impact Guidelines (2013)

The City's TIA Guidelines provide criteria for identifying mobility deficiencies reflecting the City's Circulation Element Goals. These guidelines provide protocol for measures of effectiveness for traffic operations and thresholds. In addition, the City Transportation Impact Guidelines emphasize the evaluation of compliance with policies related to alternative transportation modes and reducing VMT. Therefore, each transportation mode is evaluated separately rather than using vehicle LOS and overall intersection delay as mobility deficiency criteria for signalized intersections. The City TIA Guidelines establish protocol for transportation impact analysis and reports based on the current state-of-the-practice in transportation planning and engineering, including:

- General Plan context for transportation impact review
- Need for a transportation analysis
- Impact analysis methods
- A vehicle miles traveled (VMT) monitoring procedure
- Mobility deficiency criteria and thresholds for Paso Robles and other affected agencies (e.g., San Luis Obispo County, and Caltrans)
- Guidance on acceptable transportation improvements based on General Plan policies.

Guidance regarding physical improvements focus on operational efficiencies (i.e. signal coordination, modified timings) and enhancements to improve bicycle and pedestrian travel as needed, but generally do not include roadway expansion simply to address overall LOS.

City of Paso Robles Bicycle and Pedestrian Master Plan)

The City of Paso Robles Bicycle and Pedestrian Master Plan was first adopted in 1993 and most recently updated in December 2018. The Bicycle and Pedestrian Master Plan overall is a guidance and policy document to establish priorities for improving the bicycle and pedestrian infrastructure as the city grows into the future. The Bicycle and Pedestrian Master Plan identifies and prioritizes short-, mid-, and long-range bicycle and pedestrian improvement priorities based on the need and financial feasibility. In addition, the Bicycle and Pedestrian Master Plan develops safety programs to encourage commuting and recreation activities from biking and walking.

4.13.2 Impact Analysis

a. Measures of Effectiveness and Thresholds

The Traffic Study prepared by ATE (Appendix H) reviews the ways in which traffic conditions are evaluated and describes the measures of effectiveness that are used in the evaluations (ATE June 2019: pages 5-7). Traffic conditions, including freeway operations and intersection operations, are evaluated based on methods established in the Transportation Research Board's HCM LOS criteria. LOS is a qualitative measure of traffic operating conditions ranging from LOS A to LOS F. LOS A is the highest functioning and LOS F is the lowest functioning. The performance of roadway operations is measured in terms of LOS and the minimum acceptable LOS are the same for all traffic operations.

Detailed traffic flow analyses focus on operating conditions of critical intersections and segments during peak travel periods, which are typically the AM and PM peak hours. The AM peak hour is defined as the highest one hour of traffic flow counted between 7:00 AM and 9:00 AM on a typical weekday, the PM peak hour is defined as the highest one hour of traffic flow counted between 4:00 PM and 6:00 PM on a typical weekday. The performance of U.S. 101 can be characterized by density in passenger cars per mile per lane (pc/mi/ln), average speed in miles per hour (mph), and the ratio of volume-to-capacity (v/c). As outlined in the HCM, density is the performance measure used to rate freeway LOS.

Historically, vehicle LOS thresholds have been the prevailing criteria applied to transportation projects in the City of Paso Robles. There has been a transition in the City's evaluation of measures of effectiveness over the updating of the Circulation Element in the last few years, best summarized in the City's TIA Guidelines (Paso Robles July 2013: page 6):

> The General Plan 2011 Circulation Element changes how the performance of the network is measured by de-emphasizing an auto-centric measurement (i.e., peak hour LOS) in favor of measures that represent a more efficient use of resources […]

The 2013 TIA Guidelines then explain that there are four roadway segments within the Circulation Master Plan map that are projected to exceed their capacity by 2025 and two other segments that are expected to be at or near capacity. The 2019 Circulation Element update further refined the projected capacity utilization of city roadway segments to 2045. There are two roadway segments identified in the Project vicinity that are projected to have a capacity utilization near or over 100 percent by 2045, including:

- **U.S. 101** from Wellsona Road to Main Street (Templeton, CA), which generally degrades to an unacceptable LOS by 2045; and
- **Niblick Road** from Spring Street to South River Road, with a projected daily capacity utilization of 93 percent in 2045.

The discussion in the city's 2019 Circulation Element update explains that the utilization percentages above reflect an equivalent LOS of F, D, and E, respectively, with projected congestion along these segments and at key corridor intersections, especially during peak hours.

All other street segments and intersections in the Paso Robles Circulation Master Plan are expected to operate at a Capacity Utilization less than 100 percent; that is, at an equivalent LOS D or better.

For Caltrans facilities, the HCM and the Caltrans Guide for the Preparation of Traffic Impact Studies are referenced in evaluating the performance of highway and roadway segments and intersections that involve state highways or related ramps. These include U.S. 101, SR 46 West, and their associated ramps and intersections. As explained in the Traffic Study by ATE (Appendix H), Caltrans intersections have been evaluated using LOS criteria as contained in the HCM. Vehicular LOS is based on control delay, which is the total of time spent decelerating when approaching an intersection, time spent stopped or moving in a queue at an intersection, and time spent accelerating after an intersection.

As a general rule, the Caltrans Guide for the Preparation of Traffic Impact Studies states, "Caltrans endeavors to maintain a target LOS at the transition between LOS C and LOS D on state highway facilities. However, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. If an existing state highway facility is operating at less than appropriate target LOS, the existing MOE should be maintained" (Caltrans, December 2002: page 1).

More detailed information about how the different levels of effectiveness are used to define LOS is presented in Table 4.13-6.

b. Significance Thresholds

The following thresholds are based on Appendix G of the State CEQA Guidelines. Impacts would be significant if the Project would:

1. Conflict with program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities;
2. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b);
3. Substantially increase hazards because of a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or
4. Result in inadequate emergency access.

As described in CEQA Guidelines Section 15064.3(c), the provisions of this Section 15064.3, including subdivision (b) shall apply statewide beginning on July 1, 2020. Currently, lead agencies may elect to be governed by existing LOS standards or other adopted metrics for the purpose of analyzing transportation impacts. Therefore, Threshold 2 is not disucssed further in this analysis.

The applicable city and agency measures of effectiveness and related thresholds for analyzing transportation impacts are discussed in the following subsections.

City of Paso Robles

The City's TIA Guidelines provide criteria for identifying mobility deficiencies reflecting the City's Circulation Element Goals. Thus, each transportation mode is evaluated rather than using vehicle LOS and overall intersection delay as the primary driver for mobility planning or to identify significant environmental impacts. Traffic deficiencies will focus on specific traffic issues, such as

queining and safety. A greater emphasis is placed on pedestrian, bicycle, and transit facilities and services, in part to reduce traffic congestion and air quality impacts associated with automobile use.

Vehicular queues that exceed existing or planned turn pocket lengths are a deficiency criterion. The City's TIA Guidelines also specify the analysis time periods, noting that typically traffic operations should be studied during the peak one hour of traffic on weekday mornings (between 7:00-9:00 AM) and afternoons (between 4:00-6:00 PM).It is important to distinguish that while vehicular LOS is a component of the evaluation criteria for stop-controlled intersections, it is not identified as a mobility deficiency criteria for signalized intersections. Therefore, LOS and the Paso Robles mobility deficiency criteria are considered in the impact analysis section of this report.

The City's TIA Guidelines provide mobility deficiency criteria for a variety of study elements. Table 4.13-5 summarizes these criteria, which are used to identify deficiencies.

Table 4.13-5 City of Paso Robles Mobility Deficiency Criteria

Study Element	Deficiency Determination
On-site Circulation and Parking	Project design fails to meet city or industry standard guidelines, fails to provide adequate truck access, will result in unsafe conditions, or will create parking demand or supply above code requirements.
Pedestrian, Bicycle, Transit Facilities	Project fails to provide safe and accessible connections, conflicts with adopted plans, or adds trips to facility that doesn't meet the current design standards.
Traffic Operations	Project causes vehicle queues that exceed turn pocket lengths, increases safety hazards, causes stop-controlled intersection to operate below LOS D and meet signal warrants, or causes vehicle demand greater than the roadway capacity.

Summary based on Table 5 of city's Transportation Impact Study Guidelines.

The City's TIA Guidelines also specify the analysis time periods, noting that typically traffic operations should be studied during the peak one hour of traffic on weekday mornings (between 7:00-9:00 AM) and afternoons (between 4:00-6:00 PM).

County of San Luis Obispo

The County of San Luis Obispo has adopted the following LOS standard for roadways and intersections:

- Rural areas (outside the Urban Reserve Line): LOS C is acceptable; LOS D is not.
- Urban areas (within the Urban Reserve Line): LOS D is acceptable; LOS E is not.

The County LOS standards are applicable to operations of the intersections at the U.S. 101/Main Street interchange.

State Facilities

Caltrans criteria govern the intersections along SR 46 and the freeway segments on U.S. 101. Caltrans relies on LOS to determine deficiencies. Accordingly, Caltrans intersections have been evaluated using LOS criteria as contained in the HCM. Vehicular LOS is based on control delay, which is the total of time spent decelerating when approaching an intersection, time spent stopped or moving in a queue at an intersection, and time spent accelerating after an intersection.

Caltrans' target is to maintain operations at the LOS C/D threshold on state-operated facilities. For state highway facilities currently operating at LOS D, E, or F Caltrans' endeavor is to maintain existing measure of effectiveness. Improvements proposed within Caltrans right-of-way are subject to Caltrans review and approval via their project development process.

Queuing is not a measure of effectiveness at signalized and unsignalized intersections in the Caltrans Guide for the Preparation of Traffic Impact Studies; therefore, queuing impacts are not considered at Caltrans facilities.

Intersection Analysis

Measures of Effectiveness and Thresholds for traffic conditions, including freeway operations and intersection operations, are evaluated based on methods established in the Transportation Research Board's HCM LOS criteria. The performance of roadway operations is measured in terms of LOS and the minimum acceptable LOS are the same for all traffic operations. Detailed traffic flow analyses focus on operating conditions of critical intersections and segments during peak travel periods. Table 4.13-6 presents the vehicular LOS targets for both city- and Caltrans-operated intersections based on the HCM.

Table 4.13-6 Intersection Level of Service Targets

Signalized Intersections [1]		Stop Sign Controlled Intersections [2]		Roundabout Intersections [3]	
Control Delay (sec/vehicle)	Level of Service	Control Delay (sec/vehicle)	Level of Service	Control Delay (sec/vehicle)	Level of Service
≤ 10	A	≤ 10	A	≤ 10	A
> 10 – 20	B	> 10 – 15	B	> 10 – 15	B
> 20 – 35	C	> 15 – 25	C	> 15 – 25	C
> 35 – 55	D	> 25 – 35	D	> 25 – 35	D
> 55 – 80	E	> 35 – 50	E	> 35 – 50	E
> 80	F	> 50 or v/c > 1	F	> 50 or v/c > 1	F

[1] Source: Exhibit 19-8 of the HCM.

[2] Source: Exhibits 20-2 and 21-8 of the HCM.

[3] Source: Exhibit 22-8 of the HCM.

Unsignalized intersections have lower delay targets because users experience more uncertainty than at signals, where drivers typically expect higher levels of congestion and more predictable levels of delay.

Segment Analysis

The roadway study area segments were evaluated for capacity utilization and LOS based on ADT volumes. The basic freeway and merge/diverge study area segments were analyzed applying the HCM 6 methodology.

Table 4.13-7 presents the vehicular LOS targets for basic freeway, merge/diverge, and weaving segments based on the HCM.

Table 4.13-7 Freeway Segment Level of Service Targets

Basic Freeway [1]		Merge/Diverge [2]		Freeway Weaving [3]	
Density (pc/mi/ln) [4]	Level of Service	Density (pc/mi/ln)	Level of Service	Density (pc/mi/ln)	Level of Service
≤ 11	A	≤ 10	A	≤ 10	A
> 11 – 18	B	> 10 – 20	B	> 10 – 20	B
> 18 – 26	C	> 20 – 28	C	> 20 – 28	C
> 26– 35	D	> 28 – 35	D	> 28 – 35	D
> 35 – 45	E	> 35	E	> 35	E
> 45 or (D > C) [5]	F	v/c > 1	F	v/c > 1	F

[1] Source: Exhibit 12-15 of the HCM 6.
[2] Source: Exhibits 14-13 of the HCM 6.
[3] Source: Exhibit 13-6 of the HCM 6.
[4] Demand in units of passenger car/mile/lane.
[5] LOS F if demand exceeds capacity.

c. Methodology

The impact analysis section below focuses on the Project effects with respect to the following scenarios, which are presented in the Traffic Study and Supplemental Traffic Analyses.

1. Existing Conditions
2. Existing + Project Conditions
3. Cumulative Conditions (Existing + Approved Projects + Pending Projects)
4. Cumulative + Project Conditions
5. General Plan Buildout Conditions (Year 2045)
6. General Plan Buildout + Project Conditions

The existing conditions scenarios are based on traffic volumes and conditions in place at the time the Traffic Study was prepared. The cumulative conditions scenarios consider the buildout of projects on the city's cumulative projects list in addition to the existing traffic volumes and conditions (refer to the cumulative project list in the Technical Appendix of the Traffic Study in Appendix H). The longer-term General Plan buildout scenario considers the effects based on the buildout of land uses as designated in the General Plan and the traffic circulation based on the city's traffic model. For the various scenarios, the Traffic Study and Supplemental Traffic Analyses consider the effects of the Project with respect to:

- Freeway segments (the main travel lanes on U.S. 101),
- Study area roadways (City streets in the City of Paso Robles), and
- Intersections (including the U.S. 101 on and off ramp intersections at SR 46 West and Main Street).

In addition, the Traffic Study discusses pedestrian, bicycle, and transit use in the vicinity, and considers effects on roadways in the San Luis Obispo County jurisdiction.

Study Area Facilities

Local and regional facilities were evaluated in the Traffic Study. The roadways and intersections identified by the City of Paso Robles and Caltrans are listed in Table 4.13-8.

Table 4.13-8 Study Area Roadways and Intersections

Freeway Segment	Surface Roadways	Intersections
U.S. 101 n/o SR 46 West[1]	SR 46 West w/o U.S. 101[2]	South Vine St/1st St[3]
U.S. 101 n/o SR 46 West[1]	Vine Street n/o SR 46 West[3]	U.S. 101 Ramps-Spring St/1st St/Niblick Rd[5]
	Theatre Drive s/o SR 46 West[3]	SR 46 West/Gahan Pl[2]
	Ramada Drive n/o SR 46 West[3]	SR 46 West/Theatre Dr[2]
	Ramada Drive s/o SR 46 West[4]	SR 46 West/South Vine St[2]
		SR 46 West/U.S. 101 SB Ramps[2]
		SR 46 West/U.S. 101 NB Ramps[2]
		SR 46 West/Ramada Dr[2]
		Main Street/Theatre Dr
		Main Street/U.S. 101 SB
		Main Street/U.S. 101 NB
		Main Street/Ramada Dr

[1] State highway - traffic operations assessed using Caltrans criteria for freeways.

[2] State highway - traffic operations assessed for intersections along SR 46 West using Caltrans criteria for intersections.

[3] City facility - traffic operations assessed using City of Paso Robles criteria.

[4] County facility - traffic operations assessed using County criteria.

[5] City and state facility - traffic operations assessed using City and Caltrans criteria for intersections.

San Luis Obispo County Facilities

Traffic operations and potential impacts to the U.S. 101/Main Street interchange located in San Luis Obispo County to the south as well as to the county segment of Ramada Drive south of SR 46 West were evaluated in comparison to County and Caltrans LOS criteria.

Future Traffic Forecasts

Cumulative traffic volumes were forecast using a list of cumulative projects provided by the city that includes approved and pending development in the adjacent areas of the City of Paso Robles (refer to the cumulative project list in the Technical Appendix of the Traffic Study in Appendix H). Traffic generated by the cumulative projects was distributed and assigned to the study-area street network based on the traffic studies prepared for those projects and local traffic patterns. A 3 percent background growth factor (1 percent per year for 3 years) was also applied to the Existing traffic volumes to account for traffic growth from outside of the study area.

General Plan Buildout (Year 2045) traffic forecasts were provided by CCTC, using a combination of forecasts from the City's traffic model and the SLOCOG regional traffic model. The City's traffic model was compared to the most recent version of the SLOCOG travel model. The City's model has more local detail and more recent local land uses, while the SLOCOG model is intended for use on routes of regional significance. The forecasts from both models were similar, so a blended approach was taken, relying on the City's model for local roads and applying adjustments for regional facilities (e.g. U.S. 101 and SR 46 West) based on SLOCOG model data where appropriate.

Project Trip Generation

The trip generation forecasts for the Project are described in the Traffic Study (Appendix H:pages 14-17). As described therein, the trip generation estimates were calculated for the Project using the standard practices outlined in the Institute of Transportation Engineers (ITE) Trip Generation manual, 10th Edition. The trip generation analysis includes an estimate of internal capture trips and the amount of pass-by traffic, the geographic distribution of trips, and the assignment of the Project-generated traffic to road segments and intersections in the vicinity. The results are summarized in Table 4.13-9 through Table 4.13-12.

Table 4.13-9 Project Trip Generation

Site/Land Use	Size	Daily		AM		PM	
		Rate	Trips	Rate	Trips	Rate	Trips
Vine Street Hotel[1]	100 rooms	8.36	836	0.47	47	0.60	60
Village Commercial Center							
Commercial[2]	18,200 SF	37.75	687	0.94	17	3.71	69
Restaurant[3]	5,600 SF	112.18	628	9.94	56	9.77	55
Office[4]	3,800 SF	9.74	37	1.16	4	1.15	4
Workforce Housing[5]	17 DU	7.32	124	0.46	8	0.56	10
Hillside Hotel[1]	225 rooms	8.36	1,881	0.47	106	0.60	135
Promontory Commercial Center							
Office[4]	24,000 SF	9.74	234	1.16	28	1.15	28
Resort Community[6]	80 DU	9.44	755	0.74	59	0.99	79
Vine Street Commercial							
Office[4]	22,000 SF	9.74	214	1.16	26	1.15	25
Total			**5,396**		**351**		**465**

[1] ITE Land Use Code 310 (Hotel).
[2] ITE Land Use Code 820 (Shopping Center).
[3] ITE Land Use Code 932 (High-Turnover Sit-Down Restaurant).
[4] ITE Land Use Code 710 (General Office Building).
[5] ITE Land Use Code 220 (Multifamily Housing).
[6] ITE Land Use Code 210 (Single Family Detached Housing).

As shown in Table 4.13-9, the proposed land uses included in the Project are estimated to generate 5,396 ADT, with 351 trips occurring during the AM peak hour and 465 trips occurring during the PM peak hour.

Internal Capture Trips

Given the mix of proposed land uses included in the Project, there are assumed “internal capture” trips that would remain within the Project site and do not affect the off-site street network (e.g., people staying at the hotels that patronize the commercial uses). Table 4.13-10 shows the internal and external trips for the AM and PM peak hour periods.

Table 4.13-10 Internal/External Trip Summary

Trip Type	AM Peak Trips	PM Peak Trips
Internal	58	113
External	293	352
Total	351	465

Pass-By/Diverted-Linked Trips

The Traffic Study assumes that some of the retail and restaurant trips generated by the Project would be drawn from existing traffic on nearby roadways. “Pass-by” trips come from the existing traffic streams on roadways that provide direct access to the site (e.g., people traveling along Vine Street that decide to turn into the Project site and stop at a retail store as part of their longer trip). “Diverted-linked” trips will divert from nearby roadways as part of their longer trip (e.g., people traveling along SR 46 West that turn onto Vine Street to stop at a restaurant along their way). Conservatively, the Traffic Study assumes that 50 percent of the retail and restaurant trips will be pass-by/diverted-linked trips.

Table 4.13-11 shows the breakdown of the Project’s trip types for the AM and PM peak hour periods, including the primary trips that would be added to the study area roadway network.

Table 4.13-11 Project Trip Types

Trip Generation	AM Peak Trips	PM Peak Trips
Internal Capture Trips	58	113
Pass-By/Diverted Linked	23	27
Primary Trips	270	325
Total	**351**	**465**

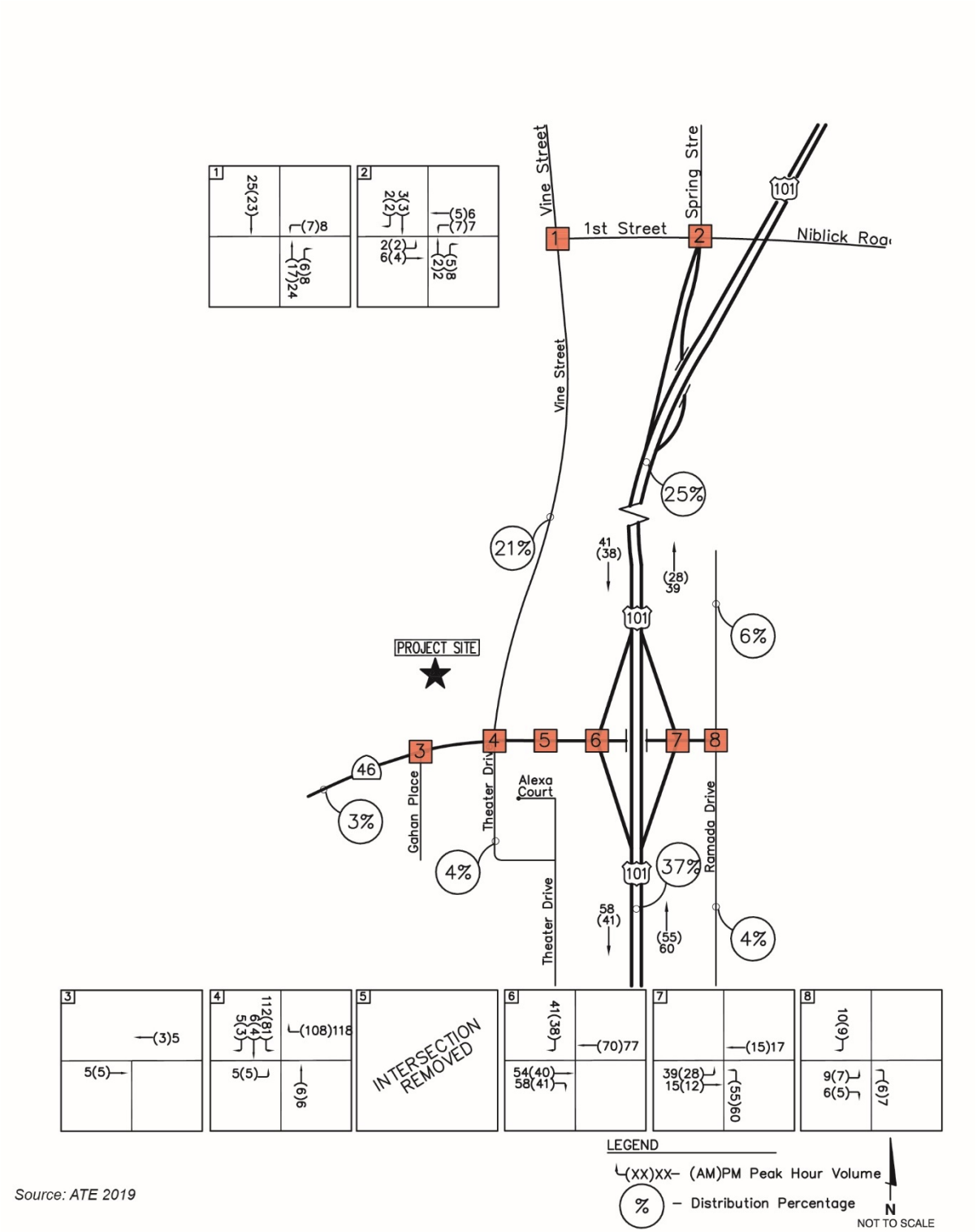
Project Trip Distribution

As described in the Traffic Study, the distribution pattern for the Project was determined by a “select zone” traffic model run prepared by the city. The city’s traffic model was coded with the Project’s land uses and then run to isolate the traffic pattern for the Project. The Project’s trip distribution pattern is shown in Figure 4.13-3 and Table 4.13-12, based on the trip generation estimates provided in the Traffic Study.

Table 4.13-12 Project Trip Distribution

Origin/Destination	Direction	Percentage
U.S. 101	North	25%
U.S. 101	South	37%
Vine Street	North	21%
SR 46 West	West	3%
Theatre Drive s/o SR 46 West	South	4%
Ramada Drive n/o SR 46 West	East	6%
Ramada Drive s/o SR 46 West	East	4%
Total		**100%**

Figure 4.13-3 Project Trip Distribution and Assignment



Source: ATE 2019

d. Project Impacts and Mitigation Measures

Threshold 1:	Would the Project conflict with program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Impact T-1 THE PROJECT WOULD ADD TRAFFIC TO THE U.S. 101/MAIN STREET INTERCHANGE, WHERE LOS CURRENTLY EXCEEDS THE COUNTY LOS D TARGET. PROJECT IMPACTS ON COUNTY TRANSPORTATION FACILITIES WOULD BE CLASS I, SIGNIFICANT AND UNAVOIDABLE.

ATE analyzed all of the roadway segments and intersections, shown in Table 4.13-8 for the various traffic scenarios. This section focuses on the locations where LOS is found to be below acceptable capacity utilization, as defined in the Transportation Research Board's HCM LOS criteria and the City of Paso Robles Transportation Impact Guidelines or County level of service standards. This analysis evaluates intersection operations under Existing + Project conditions, which includes the South Vine Street realignment, on Caltrans freeway operations (see Table 4.13-13), then City and Caltrans intersection operations (see Table 4.13-14 and Table 4.13-15 for AM and PM peak hour analyses, respectively), then County and Caltrans intersection operations (see Table 4.13-16). Table 4.13-148 and Table 4.13-15 then provide a summary of the Project's peak AM and PM intersection queue lengths under Existing Plus + Project conditions. Existing + Project traffic volumes are shown in Figure 4.13-4.

Existing + Project Freeway Operations

Existing traffic flows on the segment of U.S. 101 north of SR 46 West operate at LOS D during the AM and/or PM peak periods, which exceeds Caltrans' LOS C target for U.S. 101. Existing LOS is compared to Existing + Project LOS in Table 4.13-13. Intersections that exceed the AM or PM LOS target are shown in bold. The "Impact" column indicates whether or not the Project would cause a significant impact due to a change in the LOS. The Project does not include improvements to any Caltrans highway facilities.

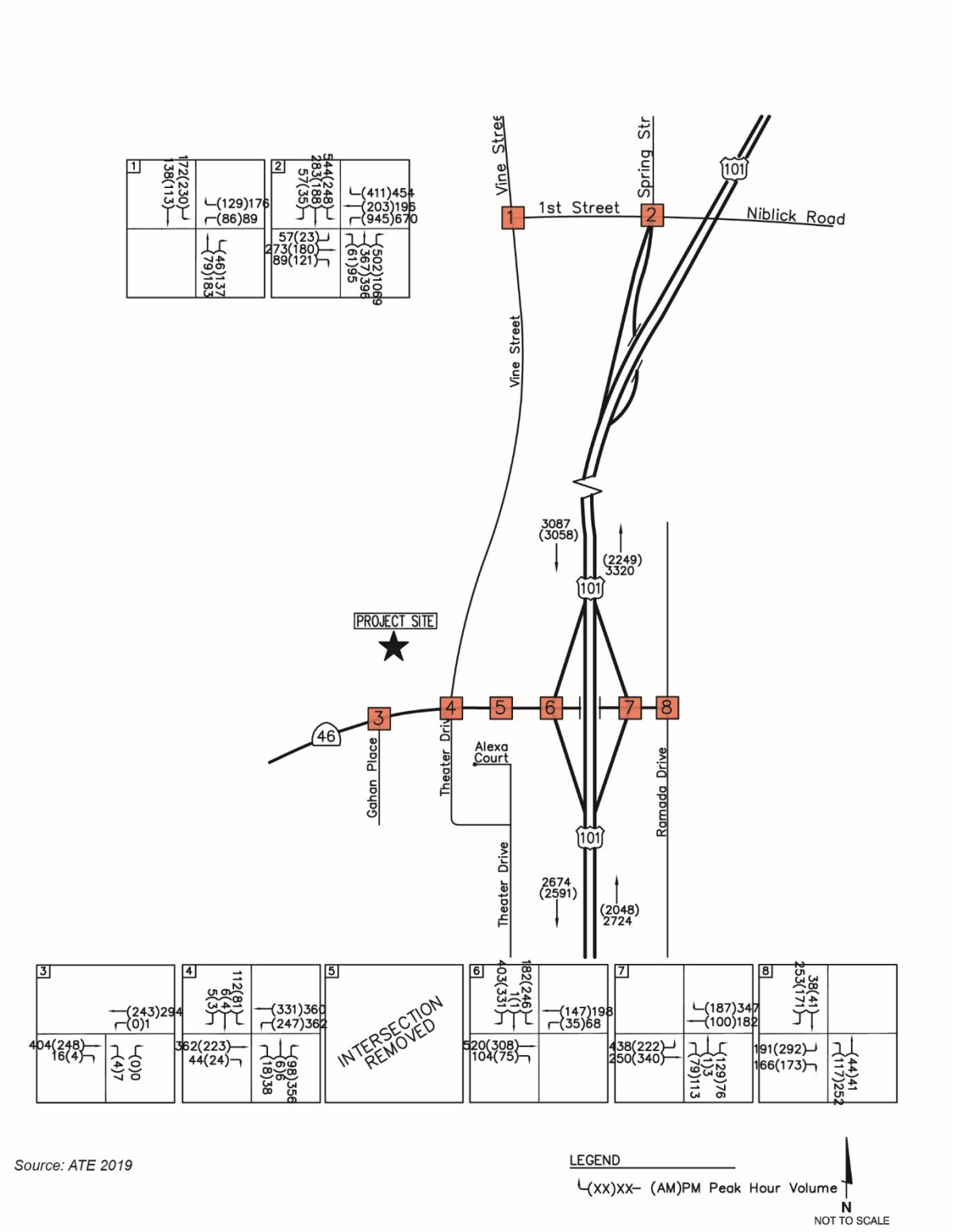
Table 4.13-13 Existing + Project Freeway Operations

	Density/LOS[1]				
	AM Peak Hour		PM Peak Hour		
Segment/Direction	Existing	Existing+Project	Existing	Existing+Project	Impact?
U.S. 101 – North of SR 46W					
Northbound	19.9/LOS C	20.1/LOS C	**28.0/LOS D**	**28.5/LOS D**	No
Southbound	**28.5/LOS D**	**29.1/LOS D**	**28.6/LOS D**	**29.2/LOS D**	
U.S. 101 – South of SR 46W					
Northbound	17.7/LOS B	18.2/LOS C	21.2/LOS C	21.8/LOS C	No
Southbound	22.6/LOS C	23.1/LOS C	23.2/LOS C	23.8/LOS C	

[1] Density in passenger car equivalents per lane per mile. LOS based on density pursuant to HCM

Note: **Bold** values exceed Caltrans LOS C target

Figure 4.13-4 Existing + Project Traffic Volumes



Source: ATE 2019

As shown in Table 4.13-13, the addition of Project traffic would increase the vehicle density on segments of U.S. 101 north of SR 46 West, in both directions, by less than one passenger car per lane per mile. Existing traffic flows of the segment of U.S. 101 north of SR 46 West operate at LOS D during the AM and/or PM peak periods, which exceeds Caltrans' LOS C target for U.S. 101. These same segments would continue to operate at LOS D under Existing + Project conditions. Therefore, the Project would not worsen LOS for freeway operations. SR 46 West in the Project vicinity is included in the intersection operations presented below.

Existing + Project Intersection Operations

Table 4.13-14 and Table 4.13-15 compare the Existing and Existing + Project intersection LOS for the AM and PM peak commuter periods.

Table 4.13-14 Existing + Project Intersection Operations – AM Peak Hour

	Delay Per Vehicle/LOS[1]		Project Added		
Intersection	Existing	Existing+Project	Delay	Trips	Impact?
Vine St/1st St	10.1 Sec./LOS B	10.2 Sec./LOS B	0.1 Sec	53	No
US 101 Ramps-Spring St/1st St-Niblick Rd	31.1 Sec./LOS C	31.5 Sec./LOS C	0.4 Sec	30	No
SR 46W/Gahan Pl	14.0 Sec./LOS B	14.1 Sec./LOS B	0.1 Sec	8	No
SR 46 West/Theatre Dr[2]	10.1 Sec./LOS B	NA	NA	NA	No
SR 46W/Theatre Dr-Vine St[2]	NA	18.8 Sec./LOS B	8.8 Sec	207	No
SR 46 West/US 101 SB Ramps[3] SR 46 West/Vine St[3]	24.9 Sec./LOS C	NA	NA	NA	NA
SR 46W/US 101 SB Ramps[3]	NA	19.0 Sec./LOS B	-5.9 Sec	189	No
SR 46 West/US 101 NB[4] SR 46 West/Ramada Dr[4]	27.2 Sec./LOS C	21.8 Sec./LOS C	-5.4 Sec	110	No

[1] LOS based on average delay per vehicle in seconds pursuant to HCM operations methodology.

[2] Existing LOS for SR 46 West/Theatre Drive intersection. Existing + Project LOS assumes South Vine Street realignment.

[3] Existing LOS represents average delay per vehicle for all movements using the SR 46 West/US 101 SB Ramps and SR 46 West/Vine Street intersections since they operate as a single unit. Existing + Project LOS assumes South Vine Street realignment.

[4] LOS represents average delay per vehicle for all movements using the SR 46 West/US 101 NB Ramps and SR 46 West/Ramada Drive intersections since they operate as a single unit.

Source: Traffic Study and Supplemental Traffic Analyses, Appendix H

Table 4.13-15 Existing + Project Intersection Operations – PM Peak Hour

Intersection	Delay Per Vehicle/LOS[1]		Project Added		Impact?
	Existing	Existing+Project	Delay	Trips	
Vine St/1st St	10.1 Sec./LOS B	10.6 Sec./LOS B	0.5 Sec	65	No
US 101 Ramps-Spring St/1st St-Niblick Rd	**35.3 Sec./LOS D**	**35.7 Sec./LOS D**	0.4 Sec	36	No[5]
SR 46W/Gahan Pl	15.8 Sec./LOS C	16.0 Sec./LOS C	0.2 Sec	10	No
SR 46W/Theatre Dr[2]	13.3 Sec./LOS B	NA	NA	NA	NA
SR 46W/Theatre Dr-Vine St[2]	NA	21.8 Sec./LOS B	8.5 Sec	252	No
SR 46W/US 101 SB Ramps[3] SR 46W/Vine St[3]	31.3 Sec./LOS C	NA	NA	NA	NA
SR 46W/US 101 SB Ramps[3]	NA	20.6 Sec./LOS B	-10.7 Sec	230	No
SR 46W/US 101 NB[4] SR 46W/Ramada Dr[4]	27.0 Sec./LOS C	26.1 Sec./LOS C	-0.9 Sec	131	No

[1] LOS based on average delay per vehicle in seconds pursuant to HCM operations methodology.

[2] Existing LOS for SR 46 West/Theatre Drive intersection. Existing + Project LOS assumes South Vine Street realignment.

[3] Existing LOS represents average delay per vehicle for all movements using the SR 46 West/US 101 SB Ramps and SR 46 West/Vine Street intersections since they operate as a single unit. Existing + Project LOS assumes South Vine Street realignment.

[4] LOS represents average delay per vehicle for all movements using the SR 46 West/US 101 NB Ramps and SR 46 West/Ramada Drive intersections since they operate as a single unit.

[5] The Project would add only 0.4 seconds of delay to the intersection, which would not have a substantial effect on the LOS. In accordance with the Caltrans Guide for the Preparation of Traffic Impact Studies, for state highway facilities currently operating at LOS D, E, or F Caltrans' endeavor is to maintain the existing measure of effectiveness.

Source: Traffic Study and Supplemental Traffic Analyses, Appendix H

As shown in Table 4.13-14 and Table 4.13-15, most of the study area intersections are forecast to operate at LOS C or better with Existing + Project traffic during the AM and PM peak commuter periods.

The U.S. 101 Ramps-Spring Street/1st Street-Niblick Road intersection is forecast to operate at LOS D during the PM peak hour with Existing and Existing + Project traffic. Three legs of this intersection are within the city (i.e., Spring Street, 1st Street, and Niblick Road) and the U.S. 101 ramps are under Caltrans jurisdiction. The LOS D operation meets the city criteria but exceeds the Caltrans LOS C target. The delay time at this location of about 35 seconds is at the low end of the range that defines LOS D (as shown in Table 4.13-14 above). The Project would add only 0.4 seconds of delay to the intersection, which would not have a substantial effect on the LOS. In accordance with the Caltrans Guide for the Preparation of Traffic Impact Studies, for state highway facilities currently operating at LOS D, E, or F Caltrans' endeavor is to maintain existing measure of effectiveness. From Table 4.13-15 above, the delay would have to increase to 55 seconds in order to change the LOS from D to E. Therefore, the Project would not substantially impact these intersection operations.

Potential impacts were assessed for the U.S. 101/Main Street interchange, located in the County area adjacent to Templeton. Table 4.13-16 shows the existing AM and PM peak hour vehicle delays and LOS for the U.S. 101/Main Street interchange.

Table 4.13-16 Existing + Project U.S. 101/Main Street Intersection Operations

Intersection/Movement	Existing LOS		# Trips (AM/PM)	Impact? (AM/PM)
	AM Peak Hour	PM Peak Hour		
Main Street/Theatre Drive				
Northbound Theatre	5.1 Sec/LOS A	6.8 Sec/LOS A	AM – 0 PM – 0	AM – NO PM – NO
Southbound Theatre	7.8 Sec/LOS B	9.5 Sec/LOS A		
Eastbound Main	7.9 Sec/LOS A	10.0 Sec/LOS B		
Westbound Main	1.5 Sec/LOS A	3.4 Sec/LOS A		
Main Street/US 101 SB				
Southbound Off-Ramp	22.1 Sec/LOS C	**35.1 Sec/LOS E**	AM – 2 PM – 3	AM – NO **PM – YES**
Eastbound Main	0.0 Sec/LOS A	0.0 Sec/LOS A		
Westbound Main	8.5 Sec/LOS A	8.6 Sec/LOS A		
Main Street/US 101 NB				
Northbound Off-Ramp	14.7 Sec/LOS B	**38.5 Sec/LOS E**	AM – 5 PM – 6	AM – NO **PM – YES**
Eastbound Main	8.2 Sec/LOS A	8.7 Sec/LOS A		
Westbound Main	0.0 Sec/LOS A	0.0 Sec/LOS A		
Main Street/Ramada Drive				
Southbound Ramada	6.6 Sec/LOS A	17.2 Sec/LOS C	AM – 8 PM – 10	AM – NO PM – NO
Eastbound Main	0.4 Sec/LOS A	23.7 Sec/LOS C		
Westbound Main	12.1 Sec/LOS B	13.8 Sec/LOS B		

Note: **Bold** values exceed Caltrans LOS C target

As shown in Table 4.13-16, the Project would add three trips to the southbound off-ramp and six trips to the northbound off-ramp at the U.S. 101/Main Street interchange, which both currently operate at LOS E during the PM peak hour and exceed the Caltrans LOS C and County LOS D targets for the interchange. As described above, in accordance with the Caltrans Guide for the Preparation of Traffic Impact Studies, for state highway facilities currently operating at LOS D, E, or F Caltrans' endeavor is to maintain the existing measure of effectiveness. The Project would not change the LOS at these ramps and therefore would not result in a significant impact in accordance with Caltrans criteria. However, the Project would exacerbate existing deficient conditions at these intersections, which would result in a potentially significant impact in accordance with County criteria.

Existing + Project Peak Summer Friday Intersection Operations

Caltrans requested an analysis of traffic conditions on a "Peak Summer Friday" afternoon since traffic volumes along SR 46 West corridor are higher on Friday afternoons during the summer months when people are traveling from the San Joaquin Valley to the Central Coast for weekend recreation. Table 4.13-17 compares the Existing and Existing + Project intersection LOS for the peak summer Friday peak hour commuter period.

Table 4.13-17 Existing + Project Peak Summer Friday Peak Hour Intersection Operations

Intersection	Delay Per Vehicle/LOS[1]		Project Added		Impact?
	Existing	Existing+Project	Delay	Trips	
South Vine St/1st St	21.9 Sec./LOS C	24.7 Sec./LOS C	2.8 Sec	65	No
US 101 Ramps-Spring St/1st St-Niblick Rd	29.8 Sec./LOS C	30.1 Sec./LOS C	0.3 Sec	36	No
SR 46W/Gahan Pl	21.2 Sec./LOS C	21.5 Sec./LOS C	0.3 Sec	10	No
SR 46 West/Theatre Dr[2]	13.4 Sec./LOS B	NA	NA	NA	No
SR 46W/Theatre Dr-Vine St[2]	NA	27.6 Sec./LOS C	8.3 Sec	252	No
SR 46 West/US 101 SB Ramps[3] SR 46 West/South Vine St[3]	32.5 Sec./LOS C	NA	NA	NA	NA
SR 46W/US 101 SB Ramps[3]	NA	21.8 Sec./LOS C	-10.7 Sec	230	No
SR 46 West/US 101 NB[4] SR 46 West/Ramada Dr[4]	31.4 Sec./LOS C	29.3 Sec./LOS C	-2.1 Sec	131	No

[1] LOS based on average delay per vehicle in seconds pursuant to HCM operations methodology.

[2] Existing LOS for SR 46 West/Theatre Drive intersection. Existing + Project LOS assumes South Vine Street realignment.

[3] Existing LOS represents average delay per vehicle for all movements using the SR 46 West/US 101 SB Ramps and SR 46 West/Vine Street intersections since they operate as a single unit. Existing + Project LOS assumes South Vine Street realignment.

[4] LOS represents average delay per vehicle for all movements using the SR 46 West/US 101 NB Ramps and SR 46 West/Ramada Drive intersections since they operate as a single unit.

Source: Traffic Study, Appendix H

As shown in Table 4.13-17, the study area intersections would operate at LOS C during the peak summer Friday peak hour period with the Project-added traffic, which meets the Caltrans LOS C target.

Existing + Project Peak Summer Sunday Intersection Operations

Caltrans requested an analysis of traffic conditions on a “Peak Summer Sunday” afternoon since traffic volumes along SR 46 West corridor are higher on Sunday afternoons during the summer months when people are returning to the San Joaquin Valley after visiting the Central Coast for weekend recreation. Table 4.13-18 compares the Existing and Existing + Project intersection LOS for the peak summer Sunday peak hour commuter period.

Table 4.13-18 Existing + Project Peak Summer Sunday Peak Hour Intersection Operations

Intersection	Delay Per Vehicle/LOS[1]		Project Added		Impact?
	Existing	Existing+Project	Delay	Trips	
South Vine St/1st St	8.5 Sec./LOS A	8.8 Sec./LOS A	0.3 Sec	77	No
US 101 Ramps-Spring St/1st St-Niblick Rd	18.0 Sec./LOS B	18.2 Sec./LOS B	0.2 Sec	20	No
SR 46W/Gahan Pl	21.1 Sec./LOS C	21.4 Sec./LOS C	0.3 Sec	11	No
SR 46 West/Theatre Dr[2]	13.3 Sec./LOS B	NA	NA	NA	No
SR 46W/Theatre Dr-Vine St[2]	NA	24.0 Sec./LOS C	10.7 Sec	290	No
SR 46 West/US 101 SB Ramps[3] SR 46 West/South Vine St[3]	32.6 Sec./LOS C	NA	NA	NA	NA
SR 46W/US 101 SB Ramps[3]	NA	24.7 Sec./LOS C	-10.7 Sec	265	No
SR 46 West/US 101 NB[4] SR 46 West/Ramada Dr[4]	25.8 Sec./LOS C	18.5 Sec./LOS B	-7.3 Sec	150	No

[1] LOS based on average delay per vehicle in seconds pursuant to HCM operations methodology.

[2] Existing LOS for SR 46 West/Theatre Drive intersection. Existing + Project LOS assumes South Vine Street realignment.

[3] Existing LOS represents average delay per vehicle for all movements using the SR 46 West/US 101 SB Ramps and SR 46 West/Vine Street intersections since they operate as a single unit. Existing + Project LOS assumes South Vine Street realignment.

[4] LOS represents average delay per vehicle for all movements using the SR 46 West/US 101 NB Ramps and SR 46 West/Ramada Drive intersections since they operate as a single unit.

Source: Traffic Study, Appendix H

As shown in Table 4.13-18, the study area intersections would operate at LOS C during the peak summer Sunday peak hour period with the Project-added traffic, which meets the Caltrans LOS C target.

Existing + Project U.S. 101 Off-Ramp Operations

Table 4.13-19 compares the Existing and Existing + Project LOS for the Caltrans off-ramp approaches at the study area intersections. As described in the Setting, the existing intersections in the study area operate in a “push-pull” signal system to manage vehicle queues. The vehicular LOS for the off-ramp approaches at the study area intersections is based on control delay, which includes total time spent decelerating when approaching the intersection, time spent stopped or moving in a queue at the intersection, and time spent accelerating after the intersection.

Table 4.13-19 Existing + Project U.S. 101 Off-Ramp Operations

	LOS[1]				
	AM Peak Hour		PM Peak Hour		
Segment/Direction	Existing	Existing + Project	Existing	Existing+Project	Impact?[2]
U.S. 101 NB Off at Spring St	LOS C	LOS C	**LOS D**	**LOS D**	**No**
U.S. 101 NB Off at SR 46W	LOS C	LOS C	**LOS D**	**LOS D**	**No**
U.S. 101 SB Off at SR 46W	LOS C	LOS C	**LOS D**	LOS C	**No**

Note: **Bold** values exceed Caltrans LOS C target

[1] LOS based on average delay per vehicle in seconds pursuant to HCM operations methodology.

[2] In accordance with the Caltrans Guide for the Preparation of Traffic Impact Studies, *f*or state highway facilities currently operating at LOS D, E, or F Caltrans' endeavor is to maintain existing measure of effectiveness.

Caltrans' goal is traffic operations at or below the LOS C/D target on state-operated facilities. For state highway facilities currently operating at LOS D, E, or F, Caltrans' goal is to maintain existing measure of effectiveness. As shown in Table 4.13-19, the LOS for the Caltrans U.S. 101 off-ramp approaches at the study area intersections operate at LOS C during the AM peak hour period and LOS D during the PM peak period with existing traffic. The Project would maintain the current LOS. In accordance with the Caltrans Guide for the Preparation of Traffic Impact Studies, for state highway facilities currently operating at LOS D, E, or F Caltrans' endeavor is to maintain existing measure of effectiveness. The Project would improve the LOS on the U.S. 101 southbound off-ramp at SR 46 West during the PM peak period. The LOS of this off-ramp would improve from LOS D for Existing conditions to LOS C under Existing + Project conditions. The improved LOS is a result of the proposed South Vine Street realignment. For the U.S. 101 northbound off-ramp at Spring Street and the U.S. 101 northbound off-ramp at SR 46 West, the addition of Project traffic would not result in a substantial change in the measure of effectiveness (LOS). Therefore, the Project would not adversely impact these off-ramp facilities.

Existing + Project Peak Hour Queue Forecasts

The city's TIA Guidelines provide criteria for identifying mobility deficiencies reflecting the city's Circulation Element Goals. Vehicular queues that exceed existing or planned lengths of turn pockets are a deficiency criterion. However, while vehicular LOS is a component of the evaluation criteria for stop-controlled intersections, it is not identified as a mobility deficiency criterion for signalized intersections. The 95th percentile queues for key movements are reported, which reflect the queue length that will not be exceeded 95 percent of the time. Table 4.13-20 and Table 4.13-21 compare the queues on the Caltrans off-ramps during the AM and PM peak commuter periods for Existing and Existing + Project conditions.

Table 4.13-20 U.S. 101 Off-Ramps – Existing + Project Peak Hour Queue Forecasts – AM Peak Hour

Segment/Direction	Peak Queue[1]			
	Existing (in feet)	Existing+Project (in feet)	Storage Provided[2] (in feet)	Queue Exceeds Storage?
U.S. 101 NB Off at Spring St				
NB Left-Turn Lane	85	90	190	No
NB Right #1 Lane	60	60	430	No
NB Right #2 Lane	75	90	210	No
U.S. 101 SB Off at SR 46W				
SB Left-Thru Lane	180	170	400	No
SB Right #1 Lane	155	90	670	No
SB Right #2 Lane	140	70	670	No
U.S. 101 NB Off at SR 46W				
NB Left-Thru Lane	45	55	265	No
NB Thru-Right Lane	135	170	900	No

[1] 95% peak queue forecasts rounded up to the nearest 5 feet.

[2] Storage provided in turn bays or storage provided on street segments.

Table 4.13-21 U.S. 101 Off-Ramps – Existing + Project Peak Hour Queue Forecasts – PM Peak Hour

Segment/Direction	Peak Queue[1]			
	Existing (in feet)	Existing+Project (in feet)	Storage Provided[2] (in feet)	Queue Exceeds Storage?
U.S. 101 NB Off at Spring St				
NB Left-Turn Lane	125	100	190	No
NB Right #1 Lane	165	205	430	No
NB Right #2 Lane	195	175	210	No
U.S. 101 SB Off at SR 46W				
SB Left-Thru Lane	260	125	400	No
SB Right #1 Lane	195	55	620	No
SB Right #2 Lane	225	65	620	No
U.S. 101 NB Off at SR 46W				
NB Left-Thru Lane	70	125	265	No
NB Thru-Right Lane	50	95	900	No

[1] 95% peak queue forecasts rounded up to the nearest 5 feet.

[2] Storage provided in turn bays or ramp lanes.

As shown in Table 4.13-20 and Table 4.13-21, the addition of the Project traffic to the key U.S. 101 off-ramps shown in these tables would not cause an exceedance of the storage capacity for peak hour queues. The majority of queues are improved by the addition of the Project because of improvements to traffic flow as a result of the realignment of South Vine Street.

Mitigation Measures

The following mitigation would be required to reduce potential impacts to the intersections within the U.S. 101/Main Street interchange from Project-added traffic.

T-1 Fair Share Funding to Templeton Road Improvements Fee Program

The Project Applicant shall contribute an equitable share to the Templeton Road Improvements fee program, in the amount specified for Area C of the Areas of Benefit of the Templeton Traffic Circulation Study, for the six (6) Project-added PM peak hour trips at the U.S. 101/Main Street northbound off-ramp, and the three (3) Project-added PM peak hour trips at the U.S. 101/Main Street southbound off-ramp.

Plan Requirements and Timing. Proof of payment to the County of San Luis Obispo of the fair share contribution for required improvements shall be submitted prior to final of the first building permit for the Project.

Monitoring. The city shall ensure compliance prior to final of the first building permit.

Significance After Mitigation

The Project would add three trips to the southbound off-ramp and six trips to the northbound off-ramp at the U.S. 101/Main Street interchange under County jurisdiction, which currently operate at LOS E during the PM peak hour and exceed the County LOS D targets for the interchange. Caltrans and the County are working cooperatively to provide improvements to the U.S. 101/Main Street interchange and Mitigation Measure T-1 requires Project contribution to the Templeton Road Improvements fee program, which would reduce impacts to the extent feasible. However, improvements to the U.S. 101/Main Street interchange are in the beginning planning phases and funding and feasibility cannot be guaranteed at this time, and are beyond the control of the City. Therefore, Project impacts to these intersections would be significant and unavoidable.

Threshold 1:	Would the Project conflict with program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Impact T-2 THE PROJECT WOULD INTRODUCE NEW PEDESTRIAN AND BICYCLE FACILITIES IN THE PROJECT AREA THAT WOULD SUFFICIENTLY ACCOMMODATE MULTI-MODAL CIRCULATION AND CONFORM TO THE CITY'S TIA GUIDELINES FOR SAFE AND ACCESSIBLE CONNECTIONS TO EXISTING MULTI-MODAL CIRCULATION. IMPACTS WOULD BE CLASS III, LESS THAN SIGNIFICANT.

Multi-modal circulation consists of pedestrian facilities, bicycle facilities, and transit facilities. Pedestrian facilities include sidewalks, crosswalks, multi-use paths, and pedestrian signals at signalized intersections. Bicycle facilities include multiple classes, based on safety associated with design features. The City of Paso Robles Bicycle and Pedestrian Plan regulates pedestrian facilities and bicycle facilities for this jurisdiction. Transit facilities in this jurisdiction are regulated by the SLOCOGRTP. These regulations emphasize multi-modal circulation as means to a sustainable transportation system, including public transportation, active transportation, highways, streets, and roads. In addition, the City's TIA Guidelines provide criteria for identifying mobility deficiencies, as described in the Regulatory Setting above. A greater emphasis is placed on pedestrian, bicycle, and transit facilities and services, in part to reduce traffic congestion and air quality.

Pedestrian Facilities

There are no pedestrian facilities on or immediately adjacent to the Project site. A sidewalk would be constructed along the west side of the realigned South Vine Street, which would connect to existing sidewalks on both sides of Theatre Drive, south of SR 46 West. Thus, sidewalk facilities would be provided for pedestrian walking to the commercial uses along Theatre Drive. By facilitating development of the South Vine Street alignment and providing safe and accessible pedestrian facilities that connect to existing facilities, the Project conforms to the TIA Guidelines for multi-modal circulation. There were zero to three pedestrians identified crossing the key study area intersections along the SR 46 West corridor during the Peak Summer Friday peak hour period. The proposed pedestrian facilities would adequately accommodate the Existing + Project pedestrian volumes.

Bicycle Facilities

Bicycle facilities in the study area consist of Class I, II, and III bikeways. The city recently adopted a Bicycle and Pedestrian Plan in December 2018. Class II bike lanes would be provided along South Vine Street realignment in order to connect to Theatre Drive. By facilitating development of the South Vine Street alignment and providing safe and accessible bicycle facilities that connect to existing facilities, the Project conforms to the TIA Guidelines for multi-modal circulation. During the Peak Summer Friday peak hour period, one bike movement was recorded at SR 46 West/Theatre Drive, SR 46 West/Vine Street, SR 46 West/U.S. 101 southbound ramps, and at SR 46 West/U.S. 101 northbound ramps intersections. The proposed bicycle facilities would adequately accommodate the Existing + Project pedestrian volumes.

Transit Facilities

The City of Paso Robles is served by the Paso Express transit system. The system includes Routes A and B that run throughout the city; however, these routes do not extend to the Project area. The Paso Express system connects riders to the San Luis Obispo Regional Transportation Agency (SLORTA) system for travel outside of the city.

The proposed pedestrian and bicycle facilities would provide safe and accessible connections to existing facilities, in conformance with TIA Guidelines, and impacts would be less than significant.

Mitigation Measures

This impact would be less than significant without the need for mitigation.

Threshold 4:	Would the Project substantially increase hazards because of a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
Threshold 5:	Would the Project result in inadequate emergency access?

Impact T-3 THE PROJECT WOULD PROVIDE ADEQUATE SIGHT DISTANCES FOR ALL SITE ACCESS POINTS. THEREFORE, THE PROJECT'S IMPACT ON HAZARDOUS DESIGN FEATURES AND EMERGENCY ACCESS WOULD BE CLASS III, LESS THAN SIGNIFICANT.

The Traffic Study includes analysis of site access including traffic controls, turn lanes, and sight distances (pages 29-32). All site access points were determined to have adequate sight distances. In

addition, the Project would not include hazardous geometric design features such as sharp curves or otherwise dangerous intersections.

Although new driveways and access points would be introduced in the Project area, all site plans, access points, and roadway improvements would be required to be reviewed by the city's Emergency Services Department, Community Development Department, Engineering Division, and Public Works Department to ensure service accessibility, and emergency access would be maintained consistent with applicable standards. The Project area roadways and access points would be designed and developed consistent with City Engineering Standard Details and Specifications and California Code of Regulations Title 19 and Title 24 (Public Safety) and the 2016 California Fire Code.

Mitigation Measures

This impact would be less than significant without the need for mitigation.

Cumulative Conditions Analysis

The "Cumulative Conditions" scenarios consider the buildout of projects on the city's cumulative projects list in addition to the existing traffic volumes and conditions. In the "Cumulative Conditions" scenario, the Traffic Study considers the effects of the Project with respect to:

- Freeway segments (the main travel lanes on U.S. 101),
- Study area roadways (City streets in the City of Paso Robles), and
- Intersections (including the U.S. 101 on and off ramp intersections at SR 46 West).

Threshold 1:	Would the Project conflict with program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Impact T-4 UNDER CUMULATIVE + PROJECT CONDITIONS, THE PROJECT WOULD NOT WORSEN THE CURRENT LEVELS OF SERVICE AT ANY ROADWAY SEGMENTS OR INTERSECTIONS IN THE STUDY AREA. THEREFORE, THE PROJECT'S CONTRIBUTION TO CUMULATIVE IMPACTS ON THE STUDY AREA TRANSPORTATION SYSTEM WOULD BE CLASS III, LESS THAN SIGNIFICANT.

Cumulative traffic volumes were forecast using a list of approved and pending projects provided by City staff. The following three projects will directly affect traffic operations along the SR 46 West corridor: 1) the approved Marriott Residence Inn Project located northwest of the SR 46 West/Vine Street intersection and 2) the approved Alexa Court Hotel Project proposed on Alexa Court, and 3) the approved Hyatt Place Hotel Project located on Theatre Drive just south of SR 46 West. Traffic generated by the cumulative projects was distributed and assigned to the study area street network based on the traffic studies prepared for those projects and local traffic patterns. A 3 percent background growth factor (1 percent per year for 3 years) was also applied to the Existing traffic volumes to account for traffic growth from outside of the study area. Cumulative + Project traffic volumes are shown in Figure 4.13-5.

The South Vine Street realignment, as facilitated by the Project, would alter traffic patterns at the existing SR 46 W/Vine Street and SR 46 West/Theatre Drive intersections. Accordingly, cumulative traffic volumes at these two intersections were reassigned with the South Vine Street realignment. Project traffic was then added to these volumes in order to evaluate Cumulative + Project traffic operations.

Cumulative and Cumulative + Project Freeway Operations

Existing traffic flows of the segment of U.S. 101 north of SR 46 West operate at LOS D during the AM and/or PM peak periods, which exceeds Caltrans' LOS C target for U.S. 101. These same segments would continue to operate at LOS D with Cumulative and Cumulative + Project traffic.

The Traffic Study calculated the LOS for U.S. 101 for Cumulative and Cumulative + Project peak hour volumes. Cumulative + Project traffic volumes are shown in Figure 4.13-5. Cumulative + Project LOS are compared to Cumulative LOS in Table 4.13-22 and Table 4.13-23.

Table 4.13-22 Cumulative and Cumulative + Project Freeway Operations for AM Peak Hour

	Density/LOS[1]		
	Cumulative	Cumulative+Project	Impact?
U.S. 101 NB North of SR 46W	20.7/LOS C	21.0/LOS C	No
U.S. 101 SB North of SR 46W	**30.3/LOS D**	**30.9/LOS D**	No
U.S. 101 NB South NB of SR 46W	18.6/LOS C	19.1/LOS C	No
U.S. 101 South SB of SR 46W	23.8/LOS C	24.3/LOS C	No

Note: **Bold** Values exceed Caltrans LOS C target

[1] Density in passenger car equivalents per lane per mile. LOS based on density pursuant to HCM.

Table 4.13-23 Cumulative and Cumulative + Project Freeway Operations for PM Peak Hour

	Density/LOS[1]		
Segment/Direction	Cumulative	Cumulative+Project	Impact?
U.S. 101 NB North of SR 46W	**29.6/LOS D**	**30.2/LOS D**	No
U.S. 101 SB North of SR 46W	**30.3/LOS D**	**30.9/LOS D**	No
U.S. 101 NB South NB of SR 46W	22.3/LOS C	22.9/LOS C	No
U.S. 101 South SB of SR 46W	24.5/LOS C	25.1/LOS C	No

Note: **Bold** Values exceed Caltrans LOS C target

[1] Density in passenger car equivalents per lane per mile. LOS based on density pursuant to HCM.

As shown in Table 4.13-22 and Table 4.13-23, traffic flows on the segment of U.S. 101 north of SR 46 West are forecast to continue to operate at LOS C-D during the AM and/or PM peak periods with Cumulative and Cumulative + Project traffic. The addition of the Project would increase the density on these segments by less than one passenger car per lane per mile and there would be no change in the measure of effectiveness caused by the Project at the LOS D locations. Therefore, impacts would be less than significant.

Cumulative and Cumulative + Project Intersection Operations

Table 4.13-24 and Table 4.13-25 compare the Cumulative and Cumulative + Project intersection LOS for the AM and PM peak commuter periods.

Figure 4.13-5 Cumulative + Project Traffic Volumes

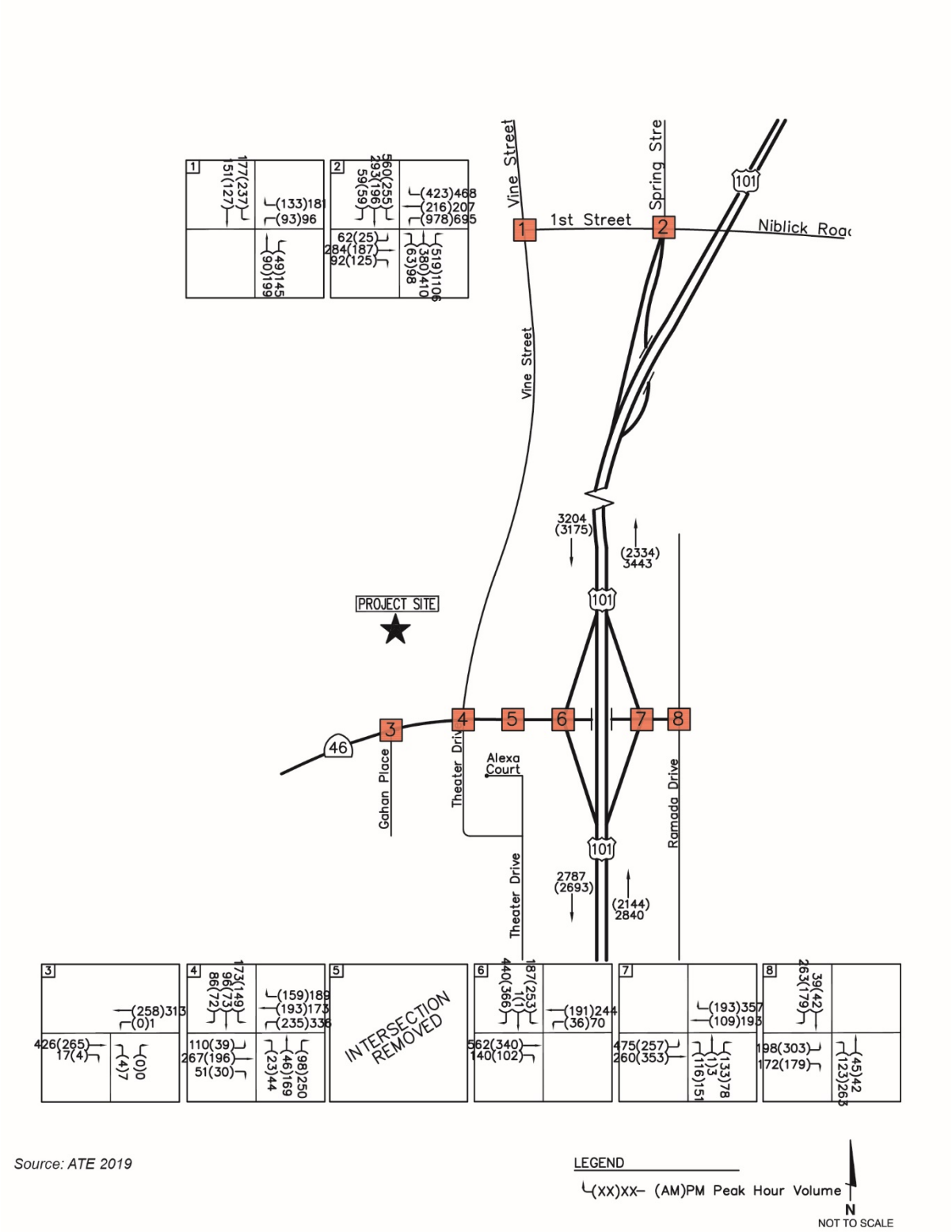


Table 4.13-24 Cumulative and Cumulative + Project Intersection Operations – AM Peak Hour

Intersection	Delay Per Vehicle/LOS[1]		Project Added		Impact?
	Existing	Existing+Project	Delay	Trips	
Vine St/1st St	10.4 Sec./LOS B	10.6 Sec./LOS B	0.2 Sec	53	No
US 101 Ramps-Spring St/1st St-Niblick Rd	32.5 Sec./LOS C	32.9 Sec./LOS C	0.4 Sec	30	No
SR 46W/Gahan Pl	14.4 Sec./LOS B	14.6 Sec./LOS B	0.2 Sec	8	No
SR 46W/Theatre Dr[2]	10.7 Sec./LOS B	NA	NA	NA	NA
SR 46W/Theatre Dr-Vine St[2]	NA	20.9 Sec./LOS C	10.2 Sec	207	No
SR 46W/US 101 SB Ramps[3] SR 46W/Vine St[3]	26.2 Sec./LOS C	NA	NA	NA	NA
SR 46W/US 101 SB Ramps[3]	NA	18.9 Sec./LOS B	-7.3 Sec	189	No
SR 46W/US 101 NB[4] SR 46W/Ramada Dr[4]	27.0 Sec./LOS C	22.5 Sec./LOS C	-4.5 Sec	110	No

[1] LOS based on average delay per vehicle in seconds pursuant to HCM operations methodology.

[2] Cumulative LOS for SR 46 West/Theatre Drive intersection. Cumulative + Project LOS assumes Vine Street realignment.

[3] Cumulative LOS represents average delay per vehicle for all movements using the SR 46 West/US 101 SB Ramps and SR 46 West/Vine Street intersections since they operate as a single unit. Cumulative + Project LOS assumes Vine Street realignment.

[4] LOS represents average delay per vehicle for all movements using the SR 46 West/US 101 NB Ramps and SR 46 West/Ramada Drive intersections since they operate as a single unit.

Table 4.13-25 Cumulative and Cumulative + Project Intersection Operations – PM Peak Hour

Intersection	Delay Per Vehicle/LOS[a]		Project Added		Impact?
	Existing	Existing+Project	Delay	Trips	
Vine St/1st St	10.5 Sec./LOS B	11.0 Sec./LOS B	0.5 Sec	65	No
US 101 Ramps-Spring St/1st St-Niblick Rd	**37.0 Sec./LOS D**	**37.5 Sec./LOS D**	0.5 Sec	36	No[5]
SR 46W/Gahan Pl	16.5 Sec./LOS C	16.7 Sec./LOS C	0.2 Sec	10	No
SR 46W/Theatre Dr[2]	14.4 Sec./LOS B	NA	NA	NA	NA
SR 46W/Theatre Dr-Vine St[2]	NA	22.7 Sec./LOS C	8.3 Sec	252	No
SR 46W/US 101 SB Ramps[3] SR 46W/Vine St[3]	33.7 Sec./LOS C	NA	NA	NA	NA
SR 46W/US 101 SB Ramps[3]	NA	21.0 Sec./LOS B	-12.7 Sec	230	No
SR 46W/US 101 NB[4] SR 46W/Ramada Dr[4]	27.4 Sec./LOS C	30.4 Sec./LOS C	3.0 Sec	131	No

Note: **Bold** Values exceed Caltrans LOS C target

[1] LOS based on average delay per vehicle in seconds pursuant to HCM operations methodology.

[2] Cumulative LOS for SR 46 West/Theatre Drive intersection. Cumulative + Project LOS assumes Vine Street realignment.

[3] Cumulative LOS represents average delay per vehicle for all movements using the SR 46 West/US 101 SB Ramps and SR 46 West/Vine Street intersections since they operate as a single unit. Cumulative + Project LOS assumes Vine Street realignment.

[4] LOS represents average delay per vehicle for all movements using the SR 46 West/US 101 NB Ramps and SR 46 West/Ramada Drive intersections since they operate as a single unit.

[5] The Project would add only 0.5 seconds of delay to the intersection, which would not have a substantial effect on the LOS. In accordance with the Caltrans Guide for the Preparation of Traffic Impact Studies, *f*or state highway facilities currently operating at LOS D, E, or F Caltrans' endeavor is to maintain the existing measure of effectiveness

As shown in Table 4.13-24 and Table 4.13-25 and detailed in the Traffic Study, most of the study area intersections are forecast to operate at LOS C or better with Cumulative and Cumulative + Project traffic. As noted, the South Vine Street realignment, as facilitated by implementation of the Project, would improve operations at the U.S. 101/SR 46 West interchange. Furthermore, as shown in Table 4.13-25, the Project would add 0.5 seconds of delay to the U.S. 101 Ramps-Spring Street/1st Street Niblick Road intersection, which is forecast to operate at LOS D during the PM peak hour with Cumulative and Cumulative + Project traffic. Three legs of this intersection are within the City (Spring Street, 1st Street, and Niblick Road) and U.S. 101 ramps are under Caltrans jurisdiction. The LOS D operations meet the City standard but exceed the Caltrans LOS C standard. As a general rule, the Caltrans Guide for the Preparation of Traffic Impact Studies states, "Caltrans endeavors to maintain a target LOS at the transition between LOS C and LOS D on state highway facilities. However, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. If an existing state highway facility is operating at less than appropriate target LOS, the existing MOE should be maintained" (Caltrans, December 2002: page 1). The Project would add 10 vehicles to the off-ramp approach during PM peak hour period and would maintain the baseline LOS. Impacts would be less than significant.

Mitigation Measures

This impact would be less than significant without the need for mitigation.

General Plan Buildout (Year 2045) Analysis

The long-term "General Plan Buildout" scenario considers effects based on the buildout of land uses as designated in the General Plan and the traffic circulation based on the city's traffic model. In each scenario, the Traffic Study considers the effects of the Project with respect to:

- Freeway segments (the main travel lanes on U.S. 101),
- Study area roadways (City streets in the City of Paso Robles), and
- Intersections (including the U.S. 101 on and off ramp intersections at SR 46 West).

Threshold 1:	Would the Project conflict with program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Impact T-5 UNDER GENERAL PLAN BUILDOUT + PROJECT CONDITIONS, U.S. 101 MAINLINE SEGMENTS AND INTERSECTION OPERATIONS WOULD EXCEED THE CALTRANS LOS C TARGET. THEREFORE, THE PROJECT'S CONTRIBUTION TO IMPACTS TO DEFICIENT GENERAL PLAN BUILDOUT TRANSPORTATION SYSTEM CONDITIONS WOULD BE CLASS I, SIGNIFICANT AND UNAVOIDABLE.

The segment of U.S. 101 north of SR 46 West is forecast to degrade to LOS D-E under General Buildout conditions; and the segment of U.S. 101 south of SR 46 West is forecast to degrade to LOS C to LOS E under General Buildout Conditions.

The realignment of South Vine Street, as facilitated by the Project, is the second phase of the improvements that have been planned by Caltrans and the City of Paso Robles as part of the U.S. Highway 101/State Route 46 West Interchange Modification Project. Phase one included the realignment of Theatre Drive to the west of U.S. 101/SR 46 West interchange, as has been completed. The final phase is the construction of roundabouts at the U.S. 101/SR 46 West northbound and southbound ramp terminals. Access for the Gateway Project is proposed via four

access connections to realigned South Vine Street. The General Plan Buildout model assumes the realignment of South Vine Street and the two roundabouts planned at the SR 46 West/U.S. 101 ramp intersections are installed. Traffic volumes under General Plan Buildout + Project conditions are shown in Figure 4.13-6.

General Plan Buildout and General Plan Buildout + Project Freeway Operations

Table 4.13-26 compares the AM and PM peak hour LOS for U.S. 101 segment operations for the General Plan Buildout and General Plan Buildout + Project scenarios.

Table 4.13-26 General Plan Buildout Freeway Operations

	Delay Per Vehicle/LOS[1]				
	AM Peak		PM Peak		
Segment/Direction	GP Buildout	GP Buildout +Project	GP Buildout	GP Buildout +Project	Impact?
U.S. 101 NB North of SR 46W	**28.3/LOS D**	**28.7/LOS D**	**44.7/LOS E**	**>45/LOS F**	**Yes**
U.S. 101 SB North of SR 46W	**40.9/LOS E**	**41.9/LOS E**	**42.5/LOS E**	**43.7/LOS E**	
U.S. 101 NB South NB of SR 46W	24.0/LOS C	24.6/LOS C	**42.5/LOS E**	**43.7/LOS E**	**No**
U.S. 101 South SB of SR 46W	**30.1/LOS D**	**30.8/LOS D**	**30.2/LOS D**	**31.2/LOS D**	

Note: **Bold** values exceed Caltrans LOS C target

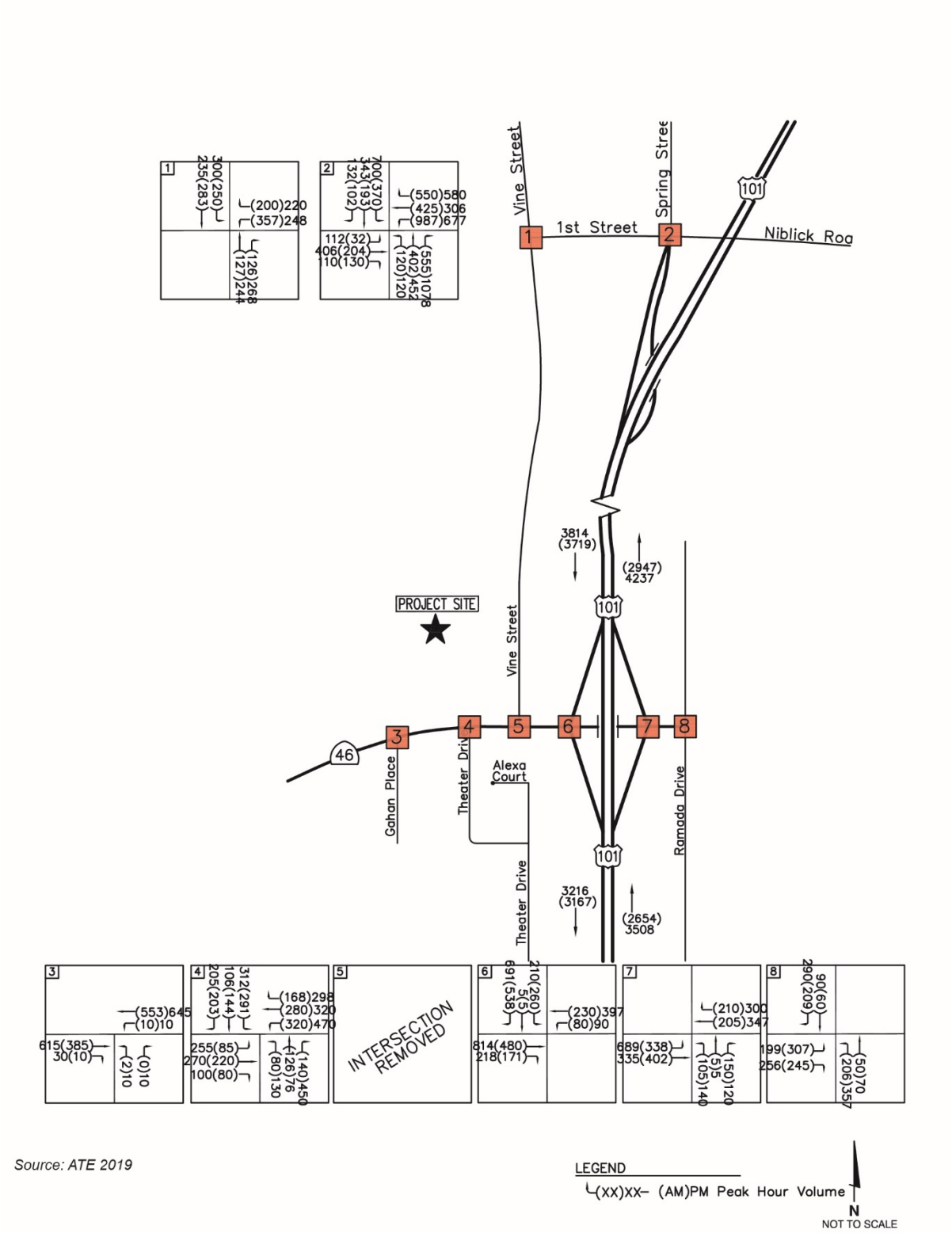
[1] Density in passenger car equivalents per lane per mile. LOS based on density pursuant to HCM.

As shown in Table 4.13-26, traffic flows on the segments of U.S. 101 north and south of SR 46 West are forecast to operate at LOS D or worse during the AM and/or PM peak periods with General Plan Buildout and General Plan Buildout + Project traffic. Conditions under General Plan Buildout would exceed the Caltrans target of LOS C. The addition of Project traffic would increase the density on these segments by less than two passenger cars per lane per mile. Nevertheless, the northbound segment of U.S. 101 north of SR 46 West during the PM Peak Hour would experience worsened LOS (from LOS E to LOS F) as a result of the Project.

General Plan Buildout and General Plan Buildout + Project Intersection Operations

Table 4.13-27 compares the AM and PM peak hour LOS for the study area intersections for the General Plan Buildout and General Plan Buildout + Project scenarios.

Figure 4.13-6 General Plan Buildout + Project Traffic Volumes



Source: ATE 2019

Table 4.13-27 General Plan Buildout Intersection Operations AM and PM Peak Hour

	Delay Per Vehicle/LOS(a)			
	AM Peak		PM Peak	
Intersection	GP Buildout	GP Buildout+Project	GP Buildout	GP Buildout+Project
Vine St/1st St	25.7 Sec./LOS D	28.7 Sec./LOS D	20.9 Sec/LOS C	22.7 Sec./LOS C
US 101 Ramps-Spring St/1st St-Niblick Rd	**37.2 Sec./LOS D**	**37.3 Sec./LOS D**	**46.0 Sec./LOS D**	**46.2 Sec./LOS D**
SR 46W/Gahan Pl	24.7 Sec./LOS C	**25.2 Sec./LOS D**	23.4 Sec./LOS C	24.0 Sec/LOS C
SR 46W/Theatre Dr-Vine St	23.2 Sec./LOS C	25.4 Sec./LOS C	29.0 Sec./LOS C	33.0 Sec./LOS C
SR 46W/US 101 SB Ramps(b)	7.9 Sec./LOS A	7.5 Sec./LOS A	12.4 Sec./LOS B	16.2 Sec./LOS C
SR 46W/Ramada Dr(b)	6.5 Sec./LOS A	7.3 Sec./LOS A	14.0 Sec./LOS B	18.5 Sec./LOS C

Note: **Bold** values exceed Caltrans LOS C target

As detailed in the evaluation of General Plan Buildout in the Traffic Study, Table 4.13-27 shows that the U.S. 101 Ramps-Spring Street/1st Street-Niblick Road intersection is forecast to operate at LOS D during the PM peak hour with and without Project traffic. The Project would add 0.2 seconds of delay to the intersection. The Project would add 10 vehicles to the off-ramp approach during the PM peak hour period. Three legs of this intersection are within the City (Spring Street, 1st Street, and Niblick Road) and U.S. 101 ramps are under Caltrans jurisdiction. The LOS D operations meet the City criteria but exceed the Caltrans LOS C target. However, the addition of the Project traffic would maintain General Plan Buildout LOS during the AM Peak Hour and PM Peak Hour for intersection operations.

Table 4.13-27 also shows that the SR 46 West/Gahan Place intersection is forecast to operate at the low end of LOS D during the AM peak hour period with General Plan Buildout + Project traffic. The reported LOS D represents the average delay for vehicles turning left from Gahan Place into SR 46 West. Project generated traffic would increase volumes on SR 46 West. Delay time for vehicles turning left from Gahan Place into SR 46 West would increase because of the more continuous traffic on SR 46 West. Therefore, project impacts to these intersections would be potentially significant.

Mitigation Measures

Under the General Plan Buildout + Project scenario, a possible response to the anticipated LOS F conditions on the segment of U.S. 101 north of SR 46 West could involve widening the freeway to six lanes, but this is not the option envisioned in the RTP (SLOCOG, 2019) or any Caltrans studies. The RTP recommends devoting available funds toward operational improvements, parallel route development, transit investments and multi-modal improvements.

More specifically, the RTP incorporates recommendations from the 2014 U.S. 101 Corridor Mobility Master Plan, and recommends a series of measures to maximize the efficiency of the current U.S. 101 four-lane configuration through alternative transportation measures, such as transportation demand management, vanpool programs, improved bus service, while preserving the ability to widen the freeway in the future. Thus, the RTP anticipates achieving LOS D or better on the U.S. 101 four-lane highway through these measures.

The following mitigation is required to reduce the Project's contribution to General Plan Buildout impacts to transportation facilities in the Project vicinity.

T-5 General Plan Buildout Transportation Improvements

The Project applicant shall fund improvements to transportation facilities in the Project vicinity prior to issuance of building permits. As described in the Development Agreement for the Project, the Project will secure the right-of-way necessary to facilitate the construction of the South Vine Street realignment and will also contribute to a portion of the cost of the South Vine Street realignment. The Development Agreement further provides that, to the extent the Developer dedicates land, funds or constructs public facilities that exceed the size or capacity required to serve the Property for the benefit of other properties, the Developer may be reimbursed for oversizing as credits against impact fees that the Developer or the Project would otherwise be required to pay for the type of infrastructure that is required to be oversized. Here, the right-of-way contributions identified in the Development Agreement are intended to offset General Plan buildout transportation improvement funding requirements for the Project and will be credited toward such requirements. Any funding paid by the Project applicant, as required by this measure, would not fund U.S. 101 improvements or alternative transportation measures where impacts are identified on U.S. 101 Northbound North of SR 46 West because funding programs are not available for improvements within the Caltrans right-of-way.

Plan Requirements and Timing. Any funds required of the applicant beyond those credited for securing the South Vine Street right-of-way and contribution to improvements shall be submitted, as agreed upon in the Development Agreement, prior to final of the first building permit**.**

Monitoring. The city shall ensure compliance with this measure prior to final of the first building permit.

Significance After Mitigation

Development and implementation of final future improvements to the impacted Caltrans intersection and impacted freeway segments would require coordination with and approval from Caltrans. Additionally, South Vine Street improvements contributions by the Project applicant, as required by Mitigation Measure T-5, would not fund U.S. 101 improvements or alternative transportation measures where impacts are identified on U.S. 101 mainline because funding programs are not available for those measures. Because of the lack of feasible mitigation to address this impact and because of uncertainty associated with timing and implementation, identified impacts to the impacted Caltrans intersection and freeway segments would be significant and unavoidable.

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4.14 Utilities/Service Systems

This section analyzes the Project's potential impacts to the City of Paso Robles' water supply, wastewater conveyance infrastructure system, stormwater control facilities, electric power, natural gas, telecommunications facilities, and solid waste management system. The water supply discussion in this section has been adapted from the Water Supply Assessment (WSA) prepared by Todd Groundwater (November 2019; refer to Appendix I). The WSA documents the City's existing and future water supplies and compares water supplies to future water demands, including those of the Project. The analysis covers both normal and drought conditions in five-year increments over the next 20 years, and is based on supply and demand projections provided in the City of Paso Robles Urban Water Management Plan (UWMP; 2016). The most recent UWMP (2015 UWMP) for the City of Paso Robles was adopted by the City of Paso Robles in July 2016, and forecasts the City's water supplies through 2045.

4.14.1 Setting

a. Water Supply

The City of Paso Robles Water Division provides potable water to over 10,000 residential and non-residential service connections in the City of Paso Robles. The City's water service area is generally coterminous with the City boundaries. The Water Division is responsible for water supply, treatment, distribution, and resource planning.

As discussed in the 2015 UWMP and WSA for the Project, the City has relied primarily on groundwater from the Paso Robles Groundwater Basin[1] (California Department of Water Resources [DWR] Basin No. 3-4.06) and water from the Salinas River for its water supply. In recent years, water from Lake Nacimiento has also been used to supplement the groundwater and river water supply. Recycled water is not currently used as a supply source in the City of Paso Robles, although the City has completed construction of the Tertiary Treatment plant needed to meet the recycled water standard. The City is currently designing and reviewing a recycled water distribution system that will serve irrigation demands in the City and allow regional recycled water use.

Water Supply Sources

Basin Groundwater Wells

Groundwater from the Paso Robles Groundwater Basin is a primary source for the City's water supply. The City operates 13 deep wells that are dispersed across the City east of the Salinas River. All groundwater wells are screened in the Paso Robles Formation along with many nearby rural residential and agricultural wells surrounding the City. The Paso Robles Groundwater Basin has been informally subdivided into subareas, based on water quality, source of recharge, groundwater movement, and contours on the base of permeable sediments. The City overlies portions of the Atascadero and Paso Robles Areas (also referred to as "subbasins"). The Project site overlies the Atascadero Subbasin.

[1] In 2016, the Atascadero Area was subdivided from Paso Robles Area of the Salinas Valley Groundwater Basin (Refer to Figure 1 in the WSA; Appendix I). In the WSA, the "Paso Robles Groundwater Basin" is generally meant to cover both the Atascadero Area and the Paso Robles Area subbasins unless indicated otherwise.

In March 2016, a Technical Report was submitted to DWR that provides evidence that the Atascadero Subbasin is largely hydrologically distinct from the Paso Robles Groundwater Basin. Accordingly, in the 2016 Bulletin 118 Interim Update, DWR determined that the Rinconada Fault is a substantial barrier to the flow of percolating groundwater between Groundwater Basin 3.004.06, Salinas Valley, Paso Robles Area, and Groundwater Basin 3.004.11, Salinas Valley, Atascadero Area (2014-2016 Resource Summary Report, County of San Luis Obispo, 2017). According to the County's Resource Summary Report, the safe yield for the Atascadero Subbasin is 16,400 acre-feet per year (AFY), not accounting for additional water that may be acquired by subbasin users. At buildout of the area relying on the Atascadero Subbasin, including the Project site under the existing County land use designations, net groundwater pumping is estimated to be 12,660 AFY, or about 77 percent of the subbasin perennial yield of 16,400 AFY.

Salinas River Wells

The City currently pumps Salinas River water from river wells pursuant to appropriative surface water rights and a permit issued by the State Water Resources Control Board (SWRCB). The City has eight river wells and one Nacimiento water recovery well. Approximately half of the City's current groundwater supply comes from its shallow Salinas River wells in the Atascadero Subbasin of the Paso Robles Groundwater Basin, near the Project site (see Figure 4 of the WSA included in Appendix I). The City also has Salinas River wells located north of the Project site, in the Paso Robles Subbasin (Ronconi wells).

Nacimiento Water

The City of Paso Robles holds a 6,488 AFY delivery entitlement for Lake Nacimiento water with the San Luis Obispo County Flood Control and Water Conservation District. In order to directly use its Nacimiento supply, the City constructed a 2.4 million gallon per day (mgd) surface water treatment plant which became fully operational in early 2016. The City anticipates operating the plant approximately five to nine months out of the year to serve peak summer demands, yielding approximately 1,120 AFY to 2,017 AFY. Treatment plant operation could be increased to provide up to 2,688 AFY.

In addition to direct deliveries, Nacimiento water can also be utilized by the City through a recovery well. This operation allows Nacimiento water to be turned into the Salinas River channel and captured through the recovery well (as distinct from River water which the City produces pursuant to its water rights permit issued by the SWRCB). It is estimated that the recovery well will be operated at a rate of 400 gallons per minute for five months out of the year, averaging 269 AFY.

In drought years, Nacimiento water can be used to augment surface water and improve water supply reliability. Similar to the operation of the recovery well, Nacimiento water can be routed into the Salinas River channel adjacent to City's river wellfield. This allows the river wells to operate when native supplies are low.

City Water Demands and Supply

Water demand projections for the City in the 2015 UWMP were developed using representative water demand factors, anticipated future conservation and projected water savings, and City General Plan growth assumptions and buildout conditions. Table 4.14-1 shows the City's projected population and water demands to buildout in 2045. The supply amounts listed in Table 4.14-1 represent the water planned to supply projected demands and do not represent the total supply available to the City from each source.

Table 4.14-1 City of Paso Robles Supply and Demand Projections through 2045

	2020	2025	2030	2035	2040	Buildout (2045 or later)
Population	32,300	34,400	37,700	39,900	41,900	44,000
Water Demands (AFY)	7,089	7,575	8,061	8,546	9,032	9,519
Water Supply Sources to Meet Demands (AFY)						
Paso Robles Groundwater Basin - Basin Wells	2,600	2,506	2,602	2,124	2,610	2,200
Salinas River - River Wells	3,100	3,500	3,800	4,558	4,558	4,558
Nacimiento Water from Water Treatment Plant	1,120	1,120	1,120	1,120	1,120	2,017
Nacimiento Water from the Recovery Well	269	269	269	269	269	269
Recycled Water for Potable Offset	0	180	270	475	475	475
Total Supply	**7,089**	**7,575**	**8,061**	**8,546**	**9,032**	**9,519**

Note: Supply amounts shown above do not reflect total supply available to the City from each source, nor do they reflect any limits on the City's groundwater rights, but instead represent the water planned to supply projected demands.

Source: City of Paso Robles 2016

As shown in Table 4.14-1, water demand at buildout in 2045 is projected to be 9,519 AFY. According to the 2015 UWMP, water supply at buildout would also be 9,519 AFY to meet the projected demand. The SGMA provides for sustainability of the Paso Robles Groundwater Basin by 2040. If less groundwater is available to the city from the basin than anticipated at that time, the city's water portfolio provides for additional water availability to meet demand (e.g., through increased delivery and treatment of Nacimiento water).

Existing Site Conditions and Water Use

The Project site is undeveloped and currently does not utilize water from the City of Paso Robles. Existing and past use of the site includes intermittent grazing and a non-irrigated, non-commercial almond orchard. According to the WSA for the Project, there are currently seven private wells on the site (Refer to Figure 4 of the WSA, Appendix I). Four of the on-site wells are old wells that previously supplied domestic and irrigation water. Another one of the on-site wells (Mazzi #1) does not have a pump. In recent years, the two remaining wells (F&T #1 and F&T #2) have been used to provide irrigation for 95.2 acres of off-site vineyards and on-site pasture for cattle grazing. In 2017, these two wells supplied a total of 48.38 AFY for onsite pasture irrigation and off-site vineyard irrigation.

b. Wastewater

The City of Paso Robles Wastewater Division provides sewer service in the City of Paso Robles. Service is provided by a system of sewer mains that ultimately connect to the Paso Robles Wastewater Treatment Plant (WWTP) located at 3200 Sulphur Springs Road adjacent to U.S. 101. Treatment of wastewater collected at the WWTP is provided through the City. The City's upgraded WWTP has average dry weather flow capacity of 4.9 mgd and a peak wet weather capacity of 12.7 mgd. The WWTP is currently limited to a permitted discharge of 4.9 mgd (average dry weather design capacity) pursuant to Waste Discharge Requirement (WDR) Order No. R3-2011-0002 (National Pollutant Discharge Elimination System [NPDES] Permit No. CA0047953) issued by the U.S. Environmental Protection Agency (EPA) in concurrence with the Central Coast Regional Water

Quality Control Board (RWQCB 2011). According to the City's Wastewater Division 2018 Annual Report (2019), the City's most recent wastewater report, the WWTP's 2018 average dry weather wastewater flow rate was approximately 2.3 mgd. Based on the permitted discharge rate and the 2018 average daily flow rate, the WWTP has a total wastewater capacity of approximately 2.6 mgd. According to the City's 2019 Wastewater Collection System Renewal Strategy and Master Plan, wastewater flows at buildout are projected to be 3.72 mgd.

Wastewater Collection

The City of Paso Robles Wastewater Division owns and operates the WWTP and sewer collection infrastructure, which serves a population of approximately 31,000 people. The sewer system includes 126 miles of sewer mains. The sewer system consists of mains, trunk lines, and interceptor pipelines. There are also 14 lift stations to pump or lift the waste stream from low lying areas to higher lying areas, so gravity can carry the flow to the WWTP at the north end of the City, near the Salinas River (City of Paso Robles 2018).

According to the City's 2019 Wastewater Collection System Renewal Strategy and Master Plan, the existing 10-inch sewer main, which consists of two individual pipe segments and runs west to east along SR 46 West (Green Valley) and north to south along Ramada Drive, is capacity deficient under existing and five-year peak loading conditions.

Wastewater Treatment

The WWTP is a Publicly Owned Treatment Works (POTW). In 2015, the City completed a major upgrade of its treatment facility and an advanced secondary treatment process. In May 2019, the city completed construction and commissioned tertiary treatment facilities. Tertiary treatment facilities include cloth media filtration, ultraviolet (UV) light disinfection, a recycled water pond and pump station, and a new maintenance shop. These tertiary treatment facilities produce recycled water for unrestricted spray irrigation and improve the quality of water discharged to the Salinas River. The City is currently designing a recycled water distribution system, which will be used to deliver recycled water to east Paso Robles for use in irrigation for golf courses, parks, and vineyards.

The current WWTP treatment process, in the generalized order in which wastewater flows through the plant, is as follows: 1) Preliminary treatment consisting of screening and grit removal; 2) Primary treatment consisting of primary sedimentation and primary sludge pumping; 3) Biological (secondary) treatment including secondary sludge pumping and secondary clarification; 4) flow equalization, cloth filtration, and UV light disinfection; and 5) Discharge to the Salinas River. Most water quality parameters are tested at the city's certified water quality laboratory. Some parameters are tested by a state-certified lab in Ventura County, California.

c. Stormwater

The City uses storm drainage facilities maintained by the City Public Works Department to accommodate stormwater runoff. These lines empty into storm drains or natural drainage courses. The Project site does not currently contain stormwater drainage facilities. In the current state stormwater flows from the Project site naturally runs from west to east towards South Vine Street through several ephemeral streams that occur during heavy rains. In the general vicinity of the Project site, stormwater flows toward the Salinas River through a network of storm drainage pipes and culverts, and ultimately discharges to the river. Alluvial and sandy soils underlying several portions of the Project site facilitate infiltration.

d. Solid Waste

Solid waste services for the City of Paso Robles are provided by contract with private firms. Paso Robles Waste Disposal provides solid waste collection service to the City and Pacific Waste Services operates the City-owned landfill.

Paso Robles Landfill

Solid waste generated in the City of Paso Robles is disposed of at the Paso Robles Landfill located approximately 13 miles east of the Project site. The landfill is classified by SWRCB as a Class III waste management unit, approved for discharge of Nonhazardous Municipal Solid Waste. Municipal solid waste currently delivered to Paso Robles Landfill is generated by the residents and businesses of the City of Paso Robles and Templeton. Paso Robles Landfill's total permitted operation area is 80 acres, with an approved and permitted waste disposal footprint of 65 acres. The landfill has a maximum permitted capacity of 6,495,000 cubic yards and a maximum permitted throughput of 450 tons of solid waste per day and 75,000 tons per year, through October 1, 2051. As of December 31, 2017, the landfill had a remaining capacity of 4,216,402 cubic yards or approximately 65 percent of the maximum permitted capacity (CalRecycle 2018).

Solid Waste Generation

Table 4.14-2 provides the annual municipal solid waste disposal rates at the Paso Robles Landfill for fiscal years 2010/2011 thru 2016/2017.

Table 4.14-2 Paso Robles Landfill Waste Disposal Rates

Fiscal Year	Gate Acceptance Rate (tons/year)	Recycling Rate (tons/year)	Disposal Rate (tons/year)
2010/2011	39,485	5,122	34,363
2011/2012	36,847	3,621	33,226
2012/2013	39,790	4,046	35,744
2013/2014	44,285	6,963	37,322
2014/2015	43,218	5,246	37,972
2015/2016	45,951	6,868	39,083
2016/2017	47,410	7,285	39,825

Source: Table 1, Updated Joint Technical Document (Report of Disposal Site Information & Report of Waste Discharge) for City of Paso Robles Sanitary Landfill Paso Robles, California, Pacific Waste Services, Inc. 2017.

Over the seven-year period from 2010/2011 through 2016/2017, the average gate acceptance rate reached up to 140 tons per day on a six-day per week basis. The recent 2016/2017 average gate acceptance rate was approximately 152 tons per day on a six-day per week basis and accounting for being closed on Christmas day. There have been no exceedances of the 450 ton per day or 75,000 tons per year limits at the landfill since the Solid Waste Facility Permit was issued in January 2008.

e. Electric Power, Natural Gas, and Telecommunications Facilities

Electric power, natural gas, and telecommunications do not currently exist on the Project site. As discussed in detail in Section 4.15, *Energy*, Pacific Gas and Electric (PG&E) is responsible for providing electric power supply to Paso Robles. There are no electric power plants in Paso Robles (U.S. EIA 2018b). The Project site is in the natural gas service area of Southern California Gas Company (SoCal Gas), which spans central and southern California (CEC 2018c).

In California, approximately 98 percent of households have access to telecommunication infrastructure, including telephone and cable access (California Cable & Telecommunications Association 2020). The Project site located in area code 805 and is within AT&T California's carrier of last resort territory. A carrier of last resort is a telecommunications company that commits, or is required by law, to provide service to any customer in a service area that requests it, even if serving that customer would not be economically viable at prevailing rates (CPUC 2020).

f. Regulatory Setting

Water Supply

Subdivision Map Act, Government Code Sections 66410 et seq

The Subdivision Map Act sets forth general provisions, procedures, and requirements for the division of land including the provision of public services, and roadway and utilities improvements.

Recycled Water Regulations

The EPA, SWRCB, RWQCBs, and the Division of Drinking Water (DDW) all have a role in regulating the use of recycled water in the State of California. The SWRCB has adopted Resolution No 77-1 (Policy with Respect to Water Reclamation in California), which empowers the state and regional boards to encourage and consider funding for water reclamation projects that do not impair water rights or beneficial in-stream uses. The CDHS determines how recycled water may be used in California, and designates the level of treatment required for each of these permitted uses (Title 22, California Code of Regulations).

Urban Water Management Planning Act (Water Code Section 10610 et seq.)

The Urban Water Management Planning Act was developed to address concerns regarding potential water supply shortages throughout California. It requires information on water supply reliability and water use efficiency measures. Urban water suppliers are required to develop and implement UWMPs to describe their efforts to promote efficient use and management of water resources. The city's most recent UWMP was adopted on June 14, 2016, to help guide the city's water management efforts for the following 20 years. The 2015 UWMP was prepared in accordance with the requirements of the Urban Water Management Planning Act (California Water Code Sections 10608 – 10656) and the Water Conservation Act of 2009, commonly referred to as SB X7-7 (California Water Code Sections 10608 - 10608.64). The UWMP details the city's service area, demographics, multi-source water supply, water treatment, water conveyance and distribution facilities, as well as historical and future water demand to serve the buildout of the city consistent with the General Plan.

Title 22 of the California Code of Regulations (CCR)

The California Water Code requires the California Department of Public Health (CDPH) to promulgate water reclamation criteria. In 1975 the CDPH prepared Title 22 regulations (22 CCR Section 60303 et seq.) to satisfy this requirement. Title 22 regulates production and use of reclaimed water in California by establishing three categories of reclaimed water: primary effluent, secondary effluent, and tertiary effluent. In addition to defining reclaimed water uses, Title 22 also defines requirements for sampling and analysis of effluent and specifies design requirements for treatment facilities.

Senate Bill (SB) 610

SB 610 (Water Code Section 10910 et seq.) was adopted in 2001 and reflects the growing awareness of the need to incorporate water supply and demand analysis at the earliest possible stage in the land use planning process. SB 610 amended the Urban Water Management Planning Act (Water Code Section 10610 et seq.) to add Section 10910 et seq.

Water supply planning under SB 610 requires reviewing and identifying adequate available water supplies necessary to meet the demand generated by a project, as well as the cumulative demand for the general region over the next 20 years, under a broad range of water conditions. This information is typically found in the current UWMP for the project area. SB 610 requires the identification of the public water supplier. Under SB 610, a WSA is needed if a project is not covered by an UWMP and exceeds 500 dwelling units, thereby relieving smaller projects from the requirements of the bill (Water Code Section 10910). The WSA for the Project, which provides a comparison of the City's existing and future water supplies to future water demands over the next 20 years, including demands of the Project, is the basis for assessing water supply sufficiency in accordance with SB 610. .

Sustainable Groundwater Management Act

During the recent drought (in 2014), the Legislature passed the Sustainable Groundwater Management Act (SGMA). The major function of this law was to establish a more uniform statewide program for sustainable management of groundwater resources by local agencies.

SGMA establishes a process and timelines for local agencies to achieve sustainable groundwater management in basins designated as medium or high priority by the DWR. Provisions in the law to accomplish this goal included:

- Requiring the development and reporting of data necessary to support sustainable management
- Allowing the state to develop and implement an interim sustainable groundwater management plan until local agencies can assume management of a basin or subbasin/subarea
- Granting the authority to local and regional agencies to develop and implement sustainable groundwater management plans

Specific deadlines for local agencies to manage groundwater basins under a groundwater sustainability plan (GSP) depend on the status of each basin, as defined in the prioritization by the DWR in Bulletin 118. For basins considered subject to critical overdraft, the plan adoption deadline is January 31, 2020. For basins designated as high or medium priority basins, the deadline is January 31, 2022. For other basins (low and very low priority), local agencies are encouraged to manage groundwater under a groundwater sustainability plan, but no specific mandate or deadline for

management is established in the SGMA. DWR identified the Atascadero Subbasin as a very low priority, during the 2018 Final Basin Prioritization.

The SGMA did not alter existing proprietary rights to groundwater consistent with Section 1200 of the Water Code (addressing certain sub-surface flows associated with riparian waters), and did not affect groundwater in adjudicated basins. The SGMA recognized the authority of local governments to manage groundwater consistent with their police powers (through local ordinances).

The Paso Robles Groundwater Basin has not been adjudicated. The Paso Robles Groundwater Basin is on the following accelerated timeline because it is identified as a high priority basin and identified by DWR as critically overdrafted (City of Paso Robles 2016):

- Local agencies must form local groundwater sustainability agencies (GSA) by 2017. Accordingly, the County of San Luis Obispo Public Works has established GSAs for the high- and medium-priority basins and subbasins in the county, including the Paso Robles Groundwater Basin.
- GSAs must prepare and adopt GSPs by 2020. In 2017, the County of San Luis Obispo, Shandon-San Juan Water District, City of Paso Robles, Heritage Ranch Community Services District (CSD), and San Miguel Community Services District (i.e., Paso Basin Cooperative Committee) entered into a Memorandum of Agreement for preparation of a GSP for the Paso Robles Groundwater Basin. The GSP has been prepared as was recommended for approval by the Paso Basin Cooperative Committee in November 2019 to be effective by the January 31, 2020 deadline; and
- Once GSPs are adopted, GSAs must implement them and achieve sustainability within 20 years.

The Atascadero Subbasin is actively managed by the Atascadero Basin GSA Executive Committee, also known as the Atascadero Basin Groundwater Sustainability Agency, and is not in overdraft. Since the Atascadero Subbasin is identified as a very low priority, it is not currently regulated by a GSP.

City of Paso Robles Code of Ordinances

Section 21.14.180 (a)(b) of Article II, Chapter 21 of the Code of Ordinances includes a requirement that all new and replacement water supply and sanitary sewage systems shall be designed to minimize of eliminate: infiltration of floodwaters into the systems; and discharge from the systems into flood hazards. It also requires that on-site waste disposal systems shall be located to avoid impairment to them, or contamination from them during flooding.

City of Paso Robles General Plan Conservation Element

The General Plan Conservation Element was updated in 2014, contains various goals, policies, and action items for the provision and maintenance of public utilities, facilities and services in the City. The following policy and action items relative to the water services and supply in the City would apply to the project:

Policy C-1A: Water Source, Supply, and Distribution. Develop and implement various innovative water provision and conservation programs that help to ensure an adequate supply of water for the City.

> **Action Item 1.** Investigate and implement if feasible, development of supplementary water supplies to provide diversified resources and receive aquifer demand. Supplementary water supplies may include the following: State Water Project; dams and reservoirs on local creeks;

Lake Nacimiento water; other water importation; regional conjunctive storage/use agreements; and/or developing water reuse.

Action Item 2. Investigate and implement, if feasible, basin recharge programs through non-traditional methods. Such programs may include the following: storm drainage system design integrating Low-Impact Development (LID) features to reduce hydromodification from development and other improvements to recharge the ground water aquifer; developing/improving water recharge along historic drainage patterns along/adjacent to creeks and/or rivers; and/or developing recycled wastewater programs including basin recharge.

Action Item 3. Maintain/update the Urban Water Management Plan and implement Best Management Practices as feasible.

Action Item 4. Maintain an updated Water Master Plan and develop needed water production, treatment, storage and distribution facilities as part of the Capital Improvement Plan/Budget. As part of the Water Master Plan or Engineering Standards and Specifications, establish water service standards for new development to include, but not be limited to: minimum pressure; provision of two sources of water to subdivisions and large development projects; use of looped systems.

Wastewater

The Subdivision Map Act, Government Code Section 66410 et seq.

Division 2 of the Government Code of the State of California (referred to as the Subdivision Map Act) sets forth general provisions, procedures, and requirements for the division of land including the provision of public services, and roadway and utilities improvements.

City of Paso Robles General Plan Conservation Element

The General Plan Conservation Element contains the following policy and action items relative to wastewater services and treatment in the City would apply to the project:

Policy C-1B: Sewer Service. Provide adequate wastewater conveyance and treatment facilities to serve all parcels in the City.

Action Item 1. Maintain an updated Sewer Master Plan and develop needed sewer conveyance and treatment facilities as part of the Capital Improvement Plan/Budget.

Action Item 2. Require sewer connection for all new buildings except where topography and/or other physical constraints would make sewer connection unreasonable and sufficient parcel sizes provide for adequate leach systems.

Action Item 3. Require the abandonment of all septic systems at such time that a sewer becomes reasonably available to a parcel.

Action Item 4. The City shall not provide nor permit delivery of City sewer services to areas outside the existing City limits until such areas are annexed.

Action Item 5. Investigate and, if feasible, develop wastewater effluent discharge alternatives including land percolation/evaporation and/or recycling.

Stormwater

State Water Resources Control Board Construction General Permit

Since 1990, regulations have increasingly emphasized the control of water pollution from non-point sources, which include stormwater systems and runoff from point-source construction sites and industrial areas. In California, the SWRCB issues a statewide General Permit to regulate runoff from construction sites involving grading and earth moving in areas over one acre. The Construction General Permit also applies to projects of less than one acre that are part of a larger plan of common development. The SWRCB has been designated by the USEPA to enforce requirements of the federal Clean Water Act, as part of the National Pollutant Discharge Elimination System (NPDES). The State Order[2] requires covered construction projects to use the "best available technology economically achievable," and the "best conventional pollution control technology." Each construction project subject to the Construction General Permit is required to have a Stormwater Pollution Prevention Plan (SWPPP) prepared. A SWPPP identifies likely sources of sediment and pollution and incorporates measures to minimize sediment and pollution in runoff water. These objectives are established based on the designated beneficial uses for the receiving water. Under Phase II of the NPDES, the County was required to seek coverage under SWRCB's General Permit for Municipal Separate Storm Sewer Systems.

Central Coast Regional Water Quality Control Board

The protection of water quality within San Luis Obispo County is under the jurisdiction of the Central Coast RWQCB. The Central Coast RWQCB establishes requirements that prescribe the discharge limits and establish water quality objectives through the Water Quality Control Plan for the Central Coast Basin (Basin Plan; RWQCB 2019). Central Coast RWQCB Resolution R3-2013-0032, which outlines runoff reduction and treatment requirements, is applicable to the Project. Resolution R3-2013-0032 outlines stormwater management requirements for development projects in the Central Coast Region and defines four post-construction requirements to help maintain water quality and the hydrologic health of the watersheds. These requirements are based on the project's type, size, and regional location.

City of Paso Robles General Plan Conservation Element

The General Plan Conservation Element contains the following policy and action items relative to stormwater services and infrastructure in the City would apply to the project:

Policy C-1C: Storm Drainage. Provide storm drain systems that efficiently and safely mitigate flood risk, while effectively managing storm water through implementation of LID features, so that downstream run-off is limited to pre-development volumes and velocity before it is conveyed to the Salinas River, Huerohuero Creek, and their tributaries.

> **Action Item 1.** Maintain and update the Storm Water Master Plan. Implement, as feasible, recommended actions and Best Management Practices described in the Master Plan.
>
> **Action Item 2.** Establish revised development standards as may be appropriate, that include, but are not limited to the following:

[2] Construction General Permit: Water Quality Order #2009-0009-DWQ, as amended by Water Quality Orders #2010-0014-DWQ and #2012-006-DWQ.

a. For large developments that feature substantial amounts of impervious surfaces, detain water flows to prevent overflow of waterways and inundation of developed areas.
b. Direct surface water runoff from developed areas to LID storm water features on the development site. The facilities should be designed to both mitigate flood flows while providing safe and efficient low-flow conveyance.
c. Maintain natural streams to provide, at minimum, flow capacity for 100-year storm conditions.
d. Conduct floodplain acquisition and promote groundwater recharge to preserve the floodway, protect riparian habitats and to enhance water resource, flood control projects and recharge programs to accommodate increased runoff from new development. These programs should be funded by developers, at rates proportional to the projected increase in runoff associated with their developments.

Paso Robles Municipal Code

Section 14.20.180-250 of Articles III -V, Chapter 14 of the Municipal Code includes regulation of storm water and non-storm water discharges into and from the storm drain system, established construction and post construction storm water management requirements, and provides additional enforcement authority for violations.

Solid Waste

California Integrated Waste Management Act of 1989 (AB 939)

This law was enacted to reduce, recycle, and reuse solid waste generated in the state to the maximum extent feasible (California Public Resources Code [PRC] Section 40050-40063). Specifically, the Act required cities and counties to adopt a Source Reduction and Recycling Element of their Waste Management Plans to describe actions to be implemented to achieve waste reduction goals (PRC Section 41750).

California Solid Waste Reuse and Recycling Access Act of 1991 (AB 1327)

California Solid Waste Reuse and Recycling Access Act of 1991, as amended, requires each local jurisdiction to adopt an ordinance requiring commercial, industrial, or institutional building, marina, or residential buildings having five or more living units to provide an adequate storage area for the collection and removal of recyclable materials (PRC Chapter 18). The sizes of these storage areas are to be determined by the appropriate jurisdictions' ordinance. If no such ordinance exists with the jurisdiction, the CalRecycle model ordinance shall take effect (PRC Section 42911).

Construction and Demolition Waste Materials Diversion Requirements (SB 1374)

Construction and Demolition Waste Materials Diversion Requirements passed in 2002, added Section 42912 to the PRC. SB 1374 requires that public agencies include in their annual AB 939 report a summary of the progress made in diverting construction and demolition waste (PRC Section 42912). The legislation also requires that CalRecycle adopt a model ordinance for diverting 50 to 75 percent of all construction and demolition waste from landfills (PRC Section 42912).

City of Paso Robles General Plan Conservation Element

The General Plan Conservation Element contains the following policy and action items relative to solid waste services in the City would apply to the project:

Policy C-1C: Solid Waste. Ensure that the City's landfill maintains sufficient capacity to serve the needs of the City through the year 2025.

> **Action Item 1.** Support and participate in an update to the County Solid Waste Management Plan (reviewed September 2002).
>
> **Action Item 2.** Reduce the amount of solid waste to be taken to the landfill by implementing the City's Source Reduction and Recycling Program.
>
> **Action Item 5.** Develop a City-specific solid waste master plan.

4.14.2 Impact Analysis

a. Methodology and Significance Thresholds

Assessment of impacts is based on review of site information and conditions, analysis provided in the WSA prepared by Todd Groundwater (November 2019; refer to Appendix I) and the City of Paso Robles UWMP (2016), and City information regarding utility-related issues, including water supply and facilities, wastewater facilities, and solid waste. Projected demand on utilities was compared to projected available supply and capacity to determine whether new or modified utilities would be required as a result of the Project.

In accordance with the City's Initial Study Checklist and Appendix G of the *CEQA Guidelines*, the Project would result in a significant impact to City utilities and/or service systems if it would result in any of the following conditions:

1. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects;
2. Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years;
3. Result in a determination by the wastewater treatment provider which serves or may serve the Project that it does not have adequate capacity to serve the Project's projected demand in addition to the providers existing commitments;
4. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; and/or
5. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

b. Project Impacts and Mitigation Measures

Water Supply

Threshold 1:	Would the Project require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects?
Threshold 2:	Would the Project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?

Impact UTIL-1 THE PROJECT WOULD INCREASE CITY-SUPPLIED WATER USE AT THE PROJECT SITE BY 144 AFY. THIS LEVEL OF DEMAND CAN BE SUPPORTED BY THE CITY'S EXISTING WATER SUPPLY SOURCES. THEREFORE, IMPACTS TO WATER FACILITIES AND SUPPLY WOULD BE CLASS III, LESS THAN SIGNIFICANT.

Currently, the Project site is undeveloped and does not utilize water from the City of Paso Robles. According to the WSA for the Project, there are currently seven private wells on the site (Refer to Figure 4 of the WSA, Appendix I). Four of the on-site wells are old wells that previously supplied domestic and irrigation water and would be properly abandoned as part of the Project approval process. Another one of the on-site wells (Mazzi #1) does not have a pump and would also be properly abandoned. Well abandonment would be required to comply with California Health and Safety Code Part 9.5, Section 115700, which requires safety measures and protection of water quality. According to the WSA, the Project would result in an estimated water use of 138.5 to 144 AFY for commercial and transient lodging portions of the project and 16 AFY for agricultural uses. The Project proposes to use City-supplied water for the commercial and transient lodging portions of the Project. The two existing water wells on the Project site would supply water to the proposed vineyards, orchards, and other potential agricultural uses. According to the WSA for the Project, the total proposed future water use of the two existing, operational on-site private wells for on-site irrigation and off-site irrigation is 28.38 to 31.48 AFY, which includes 16 AFY for on-site agricultural uses included in the Project, including vineyards and other agricultural uses that would be located in the permanent agricultural/conservation easement area required for preservation by Mitigation Measure AG-1. This projected water use from on-site private wells would be reduced by approximately 16.9 to 20 AFY from the recorded 2017 water use from these wells of 48.38 AFY. In 2017, water use on the Project site consisted primarily of on-site pasture irrigation. With implementation of the Project, on-site irrigation would be reduced, thereby reducing the projected water use from on-site private wells. As described in the WSA, the Atascadero Subbasin is not in overdraft and can sustain the continued use of the on-site wells to supply projected future irrigation of off-site vineyards and on-site vineyards, orchards, and other potential agricultural uses.

In general, to determine water supply sufficiency, WSAs must include a comparison of supply and demand during normal, single dry, and multiple dry years during a 20-year projection. As discussed in Section 4.14.1 and shown in Table 4.14-1, projected City-water supplies represent the water planned to supply projected demands and do not represent the total supply available to the City from each source. The annexation and development of the Project site was not considered in the water demand and supply projections in the City's 2015 UWMP. Therefore, the estimated water use of the Project of a maximum of 144 AFY would increase the projected demand at buildout in 2045, and necessary water supply to meet the projected demand, to 9,663 AFY.

The City holds a 6,488 AFY delivery entitlement for Lake Nacimiento water with the San Luis Obispo County Flood Control and Water Conservation District. In order to directly use the Nacimiento entitlement, the City constructed a surface water treatment plant with an anticipated yield of approximately 2,017 AFY at City buildout in 2045. The treatment plant operation could be increased to provide up to 2,688 AFY of water for City use, or 617 AFY more than currently anticipated 2045 demand. Therefore, the increase of up to 144 AFY in demand on City water as a result of the Project could be served by the City's existing water supply portfolio of Nacimiento Water, groundwater from the Paso Robles Groundwater Basin, and water from the Salinas River, as well as City surface water treatment facilities.

In summary, the Project would not require or result in the construction of new water facilities or expansion of existing facilities, and water supplies are available to serve the Project from existing entitlements and resources. Impacts would be less than significant.

Mitigation Measures

Impacts would be less than significant without the need for mitigation.

Wastewater

Threshold 1:	Would the Project require or result in the relocation or construction of new or expanded wastewater treatment facilities, the construction or relocation of which could cause significant environmental effects?
Threshold 3:	Would the Project result in a determination by the wastewater treatment provider which serves or may serve the Project that it does not have adequate capacity to serve the Project's projected demand in addition to the providers existing commitments?

Impact UTIL-2 WHILE THE CITY'S WWTP HAS CAPACITY TO ACCOMMODATE THE PROJECT, THE EXISTING SEWER MAIN LINES THAT WOULD RECEIVE WASTEWATER FLOWS FROM THE PROJECT HAVE BEEN IDENTIFIED AS CAPACITY DEFICIENT UNDER EXISTING AND FIVE-YEAR PEAK LOADING CONDITIONS. ADDITIONALLY, WATER SOFTENING SYSTEMS COMMONLY USED IN HOTEL DEVELOPMENT MAY RESULT IN ADVERSE IMPACTS TO WASTEWATER SYSTEMS IN THE CITY. THEREFORE, PROJECT IMPACTS RELATED TO WASTEWATER TREATMENT AND CAPACITY WOULD BE CLASS II, POTENTIALLY SIGNIFICANT BUT MITIGABLE.

Future operations on the Project site would generate wastewater that would feed into the City of Paso Robles wastewater conveyance system and ultimately flow to the City's WWTP. The WWTP is currently limited to a permitted discharge of 4.9 mgd (average dry weather design capacity) pursuant to Waste Discharge Requirement (WDR) Order No. R3-2011-0002 (National Pollutant Discharge Elimination System [NPDES] Permit No. CA0047953). According to the City's 2015 UWMP, wastewater flows at buildout under the General Plan are projected to be 4,946 AFY (0.11 AFY per capita) or approximately 4.4 mgd.

The city's 2019 Wastewater Collections System Renewal Strategy and Master Plan (WWMP) identifies existing and projected wastewater generation development in the city under General Plan buildout assumptions and known near-term development, including the Project. The projected wastewater flows without the Project would be 3.64 mgd. The Project is estimated to contribute 75,705 gallons per day or approximately 0.8 mgd to projected wastewater flows, for a total city wastewater flow projection of 3.72 mgd. The city's total projected wastewater generation of 3.72 mgd, including wastewater generated from buildout of the Project, would be within the permitted

4.9 mgd capacity of the City's conveyance and treatment facilities. Additionally, implementation of the Project would not occur without appropriate LAFCO review and approval, including a Municipal Service Review. As part of the Municipal Service Review for the proposed SOI amendment and annexation of the Project site into the City, the applicant would be required to comply with any conditions of approval imposed by LAFCO to ensure that the City has the facilities and capacity to serve the wastewater generation anticipated for buildout of the Project site, including the hotel, commercial, and office uses. Nevertheless, according to the City's 2019 Wastewater Collection System Renewal Strategy and Master Plan, two sewer main line segments that would receive flow from the Project are identified as capacity deficient under existing and five-year peak flow conditions, and must be upsized in order to accommodate any additional wastewater flow from the proposed development. These sewer main lines are at the SR 46 West interchange with U.S. 101 and in Ramada Drive (City of Paso Robles 2019). Therefore, implementation of the Project would result in potentially significant impacts from increasing wastewater flow to sewer main lines in the vicinity of the Project site that do not have excess capacity to accommodate additional flows, and mitigation would be required.

The City's Salt/Nutrient Management Plan (2015) identifies detrimental salt and nutrient sources in the Paso Robles Groundwater Basin caused by municipal wastewater system discharges to groundwater and the use of regenerative water softeners in the basin. In addition, the City's sewerage system operations ordinance (14.08) sets requirements for discharges from water softening systems, including the limits for discharging water softening-brine for commercial or industrial users.

Mitigation Measures

The following mitigation would be required to reduce impacts to wastewater treatment facilities and services in the City of Paso Robles as a result of increased wastewater flows as well as potential installation of water softening systems commonly used in hotel development.

UTIL-2(a) Sewer Line Improvements

The Project shall contribute its equitable share to fund the following sewer main line improvements in the vicinity of the Project site, as identified in Table 11-1 – Capital Improvement Projects in the City's 2019 Wastewater Collection System Renewal Strategy and Master Plan. Costs above and beyond the Project's equitable share shall be addressed through such options as fee credits, reimbursement agreements, or development agreements, based on city requirements.

Prior to building permit issuance for the first phase of development on the Project site, the applicant shall contribute their fair-share amount toward the upsizing of the 600 feet of 10-inch sewer main line along SR 46 West at the SR 46 West interchange with U.S. 101 and along Ramada Drive to a 12-inch sewer main line.

Alternatively, prior to building permit issuance for the first phase of development on the Project site, the applicant shall be responsible for horizontal boring of a new sewer main under U.S. 101, directly from the eastern edge of the Project site to the vicinity of Firestone Walker Brewery.

Plan Requirements and Timing. The fair share contribution for required improvements shall be submitted prior to building permit issuance for the first phase of development on the Project site. If the applicant is required to construct a new sewer main under U.S. 101, the new sewer main shall be completed prior to the issuance of a building permit for the first phase of Project development.

Monitoring. The City shall ensure compliance with fee payment prior to first building permits. If the applicant is required to construct new sewer main under U.S. 101, City shall ensure completion of new sewer main prior to issuance of first building permits.

UTIL-2(b) Prohibit Water Softener Use.

The use of self-generating or regenerative water softeners shall be prohibited for all Project-related development.

Plan Requirements and Timing. This requirement shall be reflected on building plans.

Monitoring. The Owner/Applicant shall demonstrate that the submitted plans conform to the required conditions. City staff shall ensure compliance in the field prior to issuance of occupancy permits.

Significance After Mitigation

Implementation of Mitigation Measures UTIL-2(a) and UTIL-2(b), and compliance with state and national discharge requirements would reduce potential impacts to wastewater treatment facilities and services from the Project to a less than significant level.

Stormwater and Other Utility Facilities

Threshold 1:	Would the Project require or result in the relocation or construction of new or expanded stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?

Impact UTIL-3 THE PROJECT WOULD IMPLEMENT STRUCTURAL SCMS AND LID STRATEGIES TO PROMOTE ONSITE INFILTRATION, CAPTURE, AND TREATMENT OF STORMWATER RUNOFF. THE PROJECT WOULD NOT REQUIRE OR RESULT IN THE RELOCATION OR CONSTRUCTION OF NEW OR EXPANDED STORMWATER DRAINAGE, ELECTRIC POWER, NATURAL GAS, OR TELECOMMUNICATIONS FACILITIES. IMPACTS RELATED TO THE CONSTRUCTION OF NEW OR EXPANDED CITY STORMWATER, ELECTRIC POWER, NATURAL GAS, AND TELECOMMUNICATIONS FACILITIES WOULD BE CLASS III, LESS THAN SIGNIFICANT.

Stormwater Drainage Facilities

Under existing conditions, the Project site is primarily vacant, with 10- to 20-percent slopes. Runoff generally drains from east to west through the site, via sheet flow and through several ephemeral drainages that occur during heavy rain periods. Runoff ultimately flows towards South Vine Street where it is collected by four outfall culverts.

Project development would increase the on-site impervious surface area by approximately 1,229,600 square feet associated with the proposed buildings, asphalt paving for parking and internal roadways, and concrete walks and pads. This establishment of impervious surfaces on the site would result in an increase in surface runoff from the site. The agricultural, open space, and landscaped areas of the site would include pervious surfaces that would allow for stormwater infiltration. Project design would comply with all Central Coast RWQCB requirements by implementing a combination of structural stormwater control measures (SCMs) and LID strategies. Wherever possible, the natural drainage system on the Project site would be preserved and utilized for natural retention and treatment of stormwater flows. The specific SCMs and LID strategies

proposed for the Project are described in detail in the Preliminary Stormwater Control Plan prepared by Fuscoe Engineering, Inc. in May 2018.

The Project would be designed to promote groundwater recharge through the implementation of SCM features including rain gardens (bioretention pond with underdrain) and gravel infiltration areas throughout the Project site with detention basins concentrated on the eastern edge of the property. The Project site would be graded to minimize walls and mimic the drainage patterns of the existing site and promote sheet flow to of water to vegetated and landscaped areas and to minimize flows to lined swales and pipes. Wherever feasible, impervious surfaces would be minimized and pervious pavement that allows surface flows and infiltration would be used.

LID design strategies would be employed to preserve natural features and minimize stormwater runoff. Development design limits disturbance to creeks and natural drainage features located throughout the Project site. Specifically, grading that alters drainage patterns would be avoided. Adequate setbacks, minimal and grading of native vegetation would preserve that maximum amount of pervious surfaces and natural areas. Dedicated portions of the Project site would be reserved for native oak groves and riparian areas. The Project has been designed to minimize the compaction of highly permeable soils and impacts to natural areas through consolidation of development and paved areas and minimal grading where feasible. These proposed drainage features would be contained and would treat stormwater on the Project site. This would reduce pressure on City stormwater systems and facilities. Therefore, the Project would not result in the need for new or expanded City stormwater facilities and impacts to stormwater facilities and services would be less than significant.

Electric Power, Natural Gas, and Telecommunications Facilities

Electric power, natural gas, and telecommunications would be provided to the Project site through the extension of existing off-site electric power, natural gas, and telecommunications facilities. The Project would not require or result in the construction of new facilities or expansion of existing facilities beyond those designed specifically for the Project. The physical impacts of on-site development, which includes electric power, natural gas, and telecommunications facilities, are evaluated throughout this EIR. Impacts associated with the construction or relocation or electric power, natural gas, and telecommunications facilities as a result of the Project would be less than significant.

Mitigation Measures

Impacts would be less than significant without the need for mitigation.

Solid Waste

Threshold 4:	Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
Threshold 5:	Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Impact UTIL-4 THE PROJECT WOULD NOT RESULT IN EXCEEDANCE OF THE PASO ROBLES LANDFILL PERMITTED DAILY THROUGHPUT OR PERMITTED TOTAL CAPACITY, AND WOULD COMPLY WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS FOR SOLID WASTE. THEREFORE, IMPACTS RELATED TO THE SOLID WASTE WOULD BE CLASS III, LESS THAN SIGNIFICANT.

Based on the CalRecycle waste generation rate of 1.31 tons per guest room per year for Hotels and Lodging uses, the approximately 425 rooms included in the Project would generate approximately 556 tons of solid waste per year. Based on the conservative CalRecycle commercial sector waste generation rate of 13 pounds per 1,000 square feet per day, the approximately 83,100 square feet of commercial development proposed for the Project would generate an estimated 1,080 pounds per day, or 197 tons per year, of solid waste. In total, the Project would result in an approximate increase in the City's solid waste stream of 753 tons per year.

The Paso Robles Landfill has a maximum permitted capacity of 6,495,000 cubic yards and a maximum permitted throughput of 450 tons of solid waste per day and 75,000 tons per year, through October 1, 2051. As of December 31, 2017, the landfill had a remaining capacity of 4,216,402 cubic yards or approximately 65 percent of the maximum permitted capacity (CalRecycle 2018). The recent 2016/2017 average gate acceptance rate at the Paso Robles Landfill was approximately 152 tons per day on a six-day per week basis and accounting for being closed on Christmas day. There have been no exceedances of the 450 ton per day or 75,000 tons per year limits at the landfill since the Solid Waste Facility Permit was issued in January 2008The Project's waste generation would increase the recent average gate acceptance rate at the Paso Robles Landfill by approximately 2.4 tons per day. Therefore, the Project would not increase solid waste generation in the City to exceed the Paso Robles Landfill maximum permitted throughput of 450 tons of solid waste per day or remaining capacity of 4,216,402 cubic yards. Additionally, the Project would comply with all federal, state, and local regulations and diversion requirements pertaining to solid waste disposal, including those intended for reduction, reuse, and recycling of waste to the extent practicable. Impacts of the Project to City solid waste services and facilities would be less than significant.

Mitigation Measures

Impacts would be less than significant without the need for mitigation.

4.14.3 Cumulative Impacts

The potential buildout through the year 2045 in the City of Paso Robles would result in an estimated population of 44,000. Such development would generally increase the demand on utilities such as water supply, stormwater facilities, wastewater facilities, and solid waste management within the City of Paso Robles. The 2015 UWMP concludes that the city has the supply available from its water supply portfolio to serve buildout under the General Plan, which includes various Specific Plan areas in the city, including the Beechwood Specific Plan area, North Chandler Ranch area, and Olsen/South Chandler Ranch Specific Plan area. The expansion and/or construction of new facilities to support General Plan buildout, if required, would be subject to independent environmental review and mitigation to avoid, minimize, or reduce identified environmental effects.

The proposed Project would incrementally increase demand for water resources and wastewater, stormwater, and solid waste management facilities within the City of Paso Robles. The analysis of potential Project impacts in this section considers the Project in addition to the planned growth of the City of Paso Robles identified in the General Plan and UWMP and, thus, is cumulative in nature. Therefore, with Mitigation Measures UTIL-2(a) and UTIL-2(b) to avoid impacts to wastewater treatment and facilities, the Project would not result in a substantial contribution to cumulative impacts to City utilities and service systems. Cumulative impacts would be less than significant.

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4.15 Energy

This section discusses the Project's potential impacts relating to energy. This analysis follows the guidance for evaluation of energy impacts contained in Appendix F and Appendix G of the *State CEQA Guidelines*. The physical environmental impacts associated with the generation of electricity and burning of fuels have been accounted for in Section 4.3, *Air Quality*, and Section 4.7, *Greenhouse Gas Emissions*.

4.15.1 Setting

Energy use relates directly to environmental quality because energy use can adversely affect air quality and can generate greenhouse gas (GHG) emissions that contribute to climate change. Fossil fuels are burned to create electricity that powers residences, heats and cools buildings, and powers vehicles. Transportation energy use is dependent on the fuel efficiency of cars, trucks, and public transportation; the different travel modes such as auto, carpool, and public transit; and the miles traveled using these modes. Construction and routine operation and maintenance of transportation infrastructure also consume energy.

a. Energy Supply

Petroleum

California is one of the top producers of petroleum in the nation with drilling operations occurring throughout the state but concentrated primarily in Kern and Los Angeles counties. A network of crude oil pipelines connects production areas to oil refineries in the Los Angeles area, the San Francisco Bay area, and the Central Valley. California oil refineries also process Alaskan and foreign crude oil received at ports in Los Angeles, Long Beach, and the San Francisco Bay area (California Energy Commission [CEC] 2018a). According to the United States Energy Information System (U.S. EIA), California's field production of crude oil totaled 174.1 million barrels in 2017 (U.S. EIA 2018a).

City of Paso Robles Petroleum Infrastructure

There are approximately 18 gasoline stations, but no petroleum refineries in the City of Paso Robles (U.S. EIA 2018b, GasBuddy 2019). According to the California Department of Conservation Division of Oil, Gas, and Geothermal Resources (DOGGR), there are no active, idle, or former oil production wells in Paso Robles (DOGGR 2018a).

Alternative Fuels

A variety of alternative fuels are used to reduce petroleum-based fuel demand. Their use is encouraged through various statewide regulations and plans, such as the Low Carbon Fuel Standard and Senate Bill (SB) 32. Alternative vehicle fuels include hydrogen, biodiesel, and electricity. Currently, 35 hydrogen and 10 biodiesel refueling stations are located in California, but none are located in Paso Robles. There is one public compressed natural gas station and approximately 12 electric vehicle charging stations are located in Paso Robles (United States Department of Energy 2018).

Electricity

In 2018, California's in-state electricity generation totaled 80,304 megawatts (CEC 2019b). Primary fuel sources for the state's electricity generation in 2018 included natural gas, hydroelectric, solar photovoltaic, wind, nuclear, geothermal, biomass, and solar thermal. According to the 2018 Integrated Energy Policy Report, California's electric grid relies increasingly on clean sources of energy such as solar, wind, geothermal, hydroelectricity, and biomass. As this transition advances, the grid is also expanding to serve new sectors including electric vehicles, rail, and space and water heating. California has installed more renewable energy than any other state in the United States with 22,250 megawatts of utility-scale systems operational (CEC 2018b).

Pacific Gas & Electric

Pacific Gas and Electric (PG&E) is responsible for providing electric power supply to Paso Robles. PG&E is one of the nation's largest electric and gas utility companies, and it maintains 106,681 circuit miles of electric distribution lines and 18,466 circuit miles of interconnected transmission lines (PG&E 2018a). In 2017, PG&E's power mix, including all PG&E-owned generation plus the company's power purchases, consisted of 33 percent renewable resources (wind, geothermal, biomass, solar, and small hydro), 27 percent nuclear generation, 20 percent natural gas, 18 percent large hydroelectric facilities, and 2 percent unspecified power that is not traceable to sources by any auditable contract trail (PG&E 2018b). According to PG&E's 2018 Integrated Resource Plan, PG&E anticipates meeting a 2030 energy load demand of between 36,922 gigawatt-hours (GWh) and 37,370 GWh (PG&E 2018c).

City of Paso Robles Electric Power Infrastructure

There are no electric power plants in Paso Robles (U.S. EIA 2018b).

Natural Gas

California's net natural gas production for 2017 was 162.7 billion cubic feet, or approximately 168,720 billion British thermal units (Btu) (DOGGR 2018b). The state relies on out-of-state natural gas imports for nearly 90 percent of its supply (CEC 2019d). The CEC estimates that approximately 45 percent of the natural gas burned across the state is used for electricity generation, and much of the remainder is consumed in the residential (21 percent), industrial (25 percent), and commercial (9 percent) sectors. Building and appliance energy efficiency standards account for up to 39 percent in natural gas demand savings since 1990 (CEC 2019d).

Southern California Gas

The Project site is in the natural gas service area of Southern California Gas Company (SoCal Gas), which spans central and southern California (CEC 2018c). SoCalGas' service area is equipped with 101,000 miles of gas transmission and distribution pipelines (SoCal Gas 2019a). Natural gas supplied by SoCal Gas is sourced primarily from gas fields in the Permian and San Juan basins in the Southwest as well as from supply sources in the Rocky Mountains, western Canada, and California (California Gas and Electric Utilities [CGEU] 2018).

In 2018, SoCalGas customers consumed a total of 5,156 million U.S. therms of natural gas. Residential users accounted for approximately 42 percent of SoCal Gas' natural gas consumption. Industrial and commercial users accounted for another 33 percent and 19 percent, respectively. The remainder was used for mining, construction, agricultural, and water pumping purposes (CEC

2019a). According to SoCal Gas, residential sales are expected to decline by approximately 1.4 percent per year from 2018 to 2035. Furthermore, commercial sales are expected to decline by 0.7 percent per year from 2018 to 2035. The anticipated decline in both residential and commercial sales is due to aggressive energy efficiency goals and associated programs (CGEU 2018).

Paso Robles Natural Gas Infrastructure

No active, idle, or former natural gas wells are located in Paso Robles (DOGGR 2018a). No natural gas processing plants are located in the city (U.S. EIA 2018b). Several natural gas transmission pipelines are also located in San Luis Obispo County, one of which extends to Paso Robles along the U.S. 101 corridor (National Pipeline Mapping System 2019).

b. Energy Demand

The smallest scale at which energy consumption information is readily available is the county level. Therefore, energy consumption in San Luis Obispo County is used herein to characterize the city's existing consumption of petroleum, electricity, and natural gas as detailed in the following subsections.

Petroleum

As shown in Table 4.15-1, San Luis Obispo County consumed an estimated 150 million gallons of gasoline and 22 million gallons of diesel fuel in 2018, which was approximately 0.7 percent of statewide gasoline consumption and approximately 1.2 percent of statewide diesel fuel consumption (CEC 2019e).

Table 4.15-1 2018 Annual Gasoline and Diesel Consumption

Fuel Type	San Luis Obispo County (gallons)	California (gallons)	Proportion of Statewide Consumption[1]
Gasoline	150,000,000	15,471,000,000	0.7%
Diesel	22,000,000	1,777,000,000	1.2%

[1] For reference, the population of San Luis Obispo County (280,048 persons) is approximately 0.7 percent of the population of California (39,740,508 persons) (California Department of Finance 2018).

Source: CEC 2019e

Electricity

As shown in Table 4.15-2, San Luis Obispo County consumed approximately 1,766 GWh in 2018, which is approximately 2.2 percent of electricity consumption by PG&E and approximately 0.6 percent of statewide electricity consumption (CEC 2019a).

Table 4.15-2 2018 Electricity Consumption

Energy Type	San Luis Obispo County (GWh)	PG&E (GWh)	California (GWh)	Proportion of PG&E Consumption	Proportion of Statewide Consumption[1]
Electricity	1,766	79,776	281,180	2.2%	0.6%

[1] For reference, the population of San Luis Obispo County (280,048 persons) is approximately 0.7 percent of the population of California (39,740,508 persons) (California Department of Finance 2018).

Source: CEC 2019a

Natural Gas

As shown in Table 4.15-3, San Luis Obispo County consumed approximately 82 million US therms in 2018, which was approximately 1.6 percent of the natural gas consumption by SoCal Gas and approximately 0.6 percent of statewide natural gas consumption (CEC 2019c).

Table 4.15-3 2018 Natural Gas Consumption

Energy Type	San Luis Obispo County (millions of US therms)	SoCal Gas (Millions of US therms)	California (millions of US therms)	Proportion of SoCal Gas Consumption	Proportion of Statewide Consumption[1]
Natural Gas	82	5,156	12,638	1.6%	0.6%

[1] For reference, the population of San Luis Obispo County (280,048 persons) is approximately 0.7 percent of the population of California (39,740,508 persons) (California Department of Finance 2018).

Source: CEC 2019c

c. Regulatory Setting

Federal

Energy Independence and Security Act of 2007

The Energy Independence and Security Act, enacted by Congress in 2007, is designed to improve vehicle fuel economy and help reduce the United States' dependence on foreign oil. It expands the production of renewable fuels, reducing dependence on oil and confronting climate change. Specifically, it does the following:

- Increases the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard that requires fuel producers to use at least 36 billion gallons of biofuel in 2022, which represents a nearly five-fold increase over current levels.
- Reduces United States demand for oil by setting a national fuel economy standard of 35 miles per gallon by 2020, an increase in fuel economy standards of 40 percent.

The Energy Independence and Security Act of 2007 also set energy efficiency standards for lighting (specifically light bulbs) and appliances. Development would also be required to install photosensors

and energy-efficient lighting fixtures consistent with the requirements of 42 USC Section 17001 et seq.

Energy Policy and Conservation Act

Enacted in 1975, the Energy Policy and Conservation Act established fuel economy standards for new light-duty vehicles sold in the United States. The law placed responsibility on the National Highway Traffic and Safety Administration (NHTSA) for establishing and regularly updating vehicle standards. The United States Environmental Protection Agency (U.S. EPA) is responsible for administering the Corporate Average Fuel Economy program, which determines vehicle manufacturers' compliance with existing fuel economy standards. In 2012, the U.S. EPA and National Highway Traffic and Safety Administration established final passenger car and light truck Corporate Average Fuel Economy standards for model years 2017 to 2021, which will require a combined average fleet-wide fuel economy of 40.3 to 41.0 miles per gallon in model year 2021 (United States Department of Transportation 2014).

Energy Star Program

Energy Star is a voluntary labeling program introduced by U.S. EPA to identify and promote energy-efficient products to reduce GHG emissions. The program applies to major household appliances, lighting, computers, and building components such as windows, doors, roofs, and heating and cooling systems. Under this program, appliances that meet specifications for maximum energy use established under the program are certified to display the Energy Star label. In 1996, the U.S. EPA joined with the Energy Department to expand the program, which now also includes certifying commercial and industrial buildings as well as homes (U.S. EPA 2019a).

Construction Equipment Fuel Efficiency Standard

The U.S. EPA sets emission standards for construction equipment. The current iteration of emissions standards for construction equipment are the Tier 4 efficiency requirements are contained in 40 Code of Federal Regulations Parts 1039, 1065, and 1068. Emissions requirements for new off-road Tier 4 vehicles were completely phased in by the end of 2015.

State

California Energy Plan

The CEC is responsible for preparing the California Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The 2008 California Energy Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies several strategies, including assistance to public agencies and fleet operators in implementing incentive programs for zero-emission vehicles and addressing their infrastructure needs, as well as encouragement of urban designs that reduce vehicle miles travelled (VMT) and accommodate pedestrian and bicycle access.

Assembly Bill 2076: Reducing Dependence on Petroleum

Pursuant to Assembly Bill (AB) 2076 (Chapter 936, Statutes of 2000), the CEC and California Air Resources Board (CARB) prepared and adopted a joint-agency report, *Reducing California's*

Petroleum Dependence, in 2003. Included in this report are recommendations to increase the use of alternative fuels to 20 percent of on-road transportation fuel use by 2020 and 30 percent by 2030, significantly increase the efficiency of motor vehicles, and reduce per capita vehicle miles travelled. One of the performance-based goals of AB 2076 is to reduce petroleum demand to 15 percent below 2003 demand.

Integrated Energy Policy Report

SB 1389 requires the CEC to conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices. The CEC uses these assessments and forecasts to develop energy policies that conserve resources, protect the environment, ensure energy reliability, enhance the state's economy, and protect public health and safety. The most recent assessment, the *2018 Integrated Energy Policy Report*, contains two volumes. Volume I highlights the implementation of California's innovative policies and the role they have played in establishing a clean energy economy. Volume II provides more detail on several key energy policies, including decarbonizing buildings, increasing energy efficiency savings, and integrating more renewable energy into the electricity system (CEC 2019c).

Senate Bill 350

The Clean Energy and Pollution Reduction Act of 2015 (SB 350) requires a doubling of the energy efficiency savings in electricity and natural gas for retail customers through energy efficiency and conservation by December 31, 2030.

California Renewable Portfolio Standard and Senate Bill 100

Approved by the Governor on September 10, 2018, SB 100 accelerates the state's Renewable Portfolio Standard program, which was last updated by SB 350 in 2015. SB 100 requires electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

Assembly Bill 1493: Reduction of Greenhouse Gas Emissions

AB 1493 (2002), California's Advanced Clean Cars program (referred to as "Pavley"), requires CARB to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles." On June 30, 2009, the U.S. EPA granted the waiver of Clean Air Act preemption to California for its GHG emission standards for motor vehicles, beginning with the 2009 model year, which allows California to implement more stringent vehicle emission standards than those promulgated by the U.S. EPA. Pavley I regulates model years from 2009 to 2016 and Pavley II, now referred to as "LEV (Low Emission Vehicle) III GHG," regulates model years from 2017 to 2025. The Advanced Clean Cars program coordinates the goals of the Low Emission Vehicle, Zero Emissions Vehicles, and Clean Fuels Outlet programs, and would provide major reductions in GHG emissions (CARB 2011). However, on September 19, 2019, the U.S. EPA withdrew California's Clean Air Act preemption waiver and issued the One National Program Rule, which prohibits states from establishing their own separate fuel economy standards or passing laws that substantially affect fuel economy standards. As a result, California may no longer promulgate and enforce its tailpipe GHG emission standard and zero emission vehicle mandate (U.S. EPA 2019c).

Energy Action Plan

In 2003, the CEC and California Public Utilities Commission set forth their energy policy vision in the Energy Action Plan (EAP). The CEC adopted an update to the EAP in February 2008 (EAP II) that supplements the earlier EAP and examines the state's ongoing actions in the context of global climate change. The nine major action areas in the EAP include energy efficiency, demand response, renewable energy, electricity adequacy/reliability/infrastructure, electricity market structure, natural gas supply/demand/infrastructure, transportation fuels supply/demand/infrastructure, research/development/demonstration, and climate change (California Public Utilities Commission 2008).

Assembly Bill 1007: State Alternative Fuels Plan

In response to AB 1007, the CEC prepared the state Alternative Fuels Plan in partnership with CARB and in consultation with other federal, state, and local agencies. The state Alternative Fuels Plan presents strategies and actions California must take to increase the use of alternative non-petroleum fuels in a manner that minimizes costs to California and maximizes the economic benefits of in-state production. The state Alternative Fuels Plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce GHG emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality (CEC 2007).

Bioenergy Action Plan (Executive Order S-06-06)

Executive Order (EO) S-06-06 establishes targets for the use and production of biofuels and biopower and directs state agencies to work together to advance biomass programs in California while providing environmental protection and mitigation. The EO establishes the following in-state production targets to increase the production and use of bioenergy, including ethanol and biodiesel fuels made from renewable resources:

- Produce 20 percent of biofuels used in California by 2010,
- Produce 40 percent of biofuels used in California by 2020, and
- Produce 75 percent of biofuels used in California by 2050.

EO S-06-06 also calls for the state to meet a target for use of biomass electricity. The 2011 Bioenergy Action Plan identifies potential barriers and recommends actions to address them so the state can meet its clean energy, waste reduction, and climate protection goals. The 2012 Bioenergy Action Plan updates the 2011 Plan and provides a more detailed action plan to achieve the following goals:

- Increase environmentally and economically sustainable energy production from organic waste
- Encourage development of diverse bioenergy technologies that increase local electricity generation, combined heat and power facilities, renewable natural gas, and renewable liquid fuels for transportation and fuel cell applications
- Create jobs and stimulate economic development, especially in rural regions of the state
- Reduce fire danger, improve air and water quality, and reduce waste

California Building Energy Efficiency Standards (2019) - California Code of Regulations, Title 24, Part 6

California Code of Regulations, Title 24, Part 6, is California's Energy Efficiency Standards for Residential and Non-residential Buildings. The 2019 Building Energy Efficiency Standards, adopted on May 9, 2018, will become effective on January 1, 2020. The 2019 Standards move toward cutting nonrenewable energy use in new homes by more than 50 percent and will require installation of solar photovoltaic systems for single-family homes and multi-family buildings of three stories and less. The 2019 Standards focus on four key areas: 1) smart residential photovoltaic systems; 2) updated thermal envelope standards (preventing heat transfer from the interior to exterior and vice versa); 3) residential and nonresidential ventilation requirements; 4) and nonresidential lighting requirements (CEC 2018b). Under the 2019 Standards, nonresidential buildings will be 30 percent more energy-efficient compared to the 2016 Standards, and single-family homes will be seven percent more energy-efficient (CEC 2018d). When accounting for the electricity generated by the solar photovoltaic system, single-family homes would use approximately 50 percent less energy compared to homes built to the 2016 standards (CEC 2018d).

California Green Building Standards Code (2019) - California Code of Regulations Title 24, Part 11

California's Green Building Code, referred to as CALGreen, was developed to provide a consistent approach to green building in the state. The CEC adopted updates to the 2016 CALGreen Standards in 2019 that will take effect on January 1, 2020. These changes include the following: increasing the number of parking spaces that must be prewired for electric vehicle chargers in residential development; requiring all residential development to adhere to the Model Water Efficient Landscape Ordinance; and requiring more appropriate sizing of HVAC ducts (VCA Green 2019).

Local

City of Paso Robles Climate Action Plan

In November 2013, the City of Paso Robles adopted its Climate Action Plan (CAP) for reducing GHG emissions. The CAP includes several measures aimed at reducing GHG emissions from energy usage through energy efficiency, renewable energy, and water conservation. The CAP also includes measures focused on reducing GHG emissions from fuel consumption through alternative modes of transportation, transportation demand management, and infill development (City of Paso Robles 2013b). For a detailed discussion of the CAP, refer to Section 4.7, Greenhouse Gas Emissions.

City of Paso Robles General Plan

The following goal and policy of the City of Paso Robles General Plan Conservation Element directly address energy resources:

GOAL C-7: Energy Conservation. Encourage the conservation of energy resources.

> **Policy C-7A. Conservation Measures.** Investigate and implement as feasible, energy conservation measures.

Additional goals and policies in the city's General Plan also serve to directly and indirectly reduce energy consumption from construction and operation of new and existing development. Policies LU-1A and LU-2I of the Land Use Element foster mixed-use and infill development, both of which

reduce VMT and associated fuel consumption. Policies CE-1A, CE-1D, and CE-1F of the Circulation Element are aimed at improving pedestrian and bicycle access and expanding transit services. Policies CE-1B and C-2B of the Circulation and Conservation Elements, respectively, are focused on reducing VMT, which would reduce fuel consumption. Policies H-6.1 and H-6.2 of the Housing Element encourage the reduction of energy consumption from housing developments and promote walkability and the use of alternative transportation in neighborhoods.

4.15.2 Impact Analysis

a. Methodology and Significance Thresholds

Methodology

Public Resources Code Section 21100(b)(3) states that an EIR shall include "mitigation measures proposed to minimize significant effects on the environment, including, but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy." The physical environmental impacts associated with the use of energy including the generation of electricity and burning of fuels have been accounted for in Section 4.3, *Air Quality*, and Section 4.7, *Greenhouse Gas Emissions*.

Energy consumption is analyzed herein in terms of construction and operational energy. Construction energy demand accounts for anticipated energy consumption during construction of the Project, such as fuel consumed by construction equipment and construction workers' vehicles traveling to and from the Project site. Project construction activities would also use building materials that would require energy use during the manufacturing and/or procurement of that material. Section 15126.2(b) of the CEQA Guidelines states, "This [energy] analysis is subject to the rule of reason and shall focus on energy use that is caused by the project." This analysis reasonably assumes that manufacturers of building materials such as concrete, steel, lumber, or other building materials would employ energy conservation practices in the interest of minimizing the cost of doing business. Therefore, the consumption of energy required for the manufacturing and/or procurement of building and construction material is not within the scope of this analysis.

Operational energy demand accounts for the anticipated energy consumption during operation of the transportation system and land use scenario proposed by the Project, such as fuel consumed by cars, trucks, and public transit; natural gas consumed for on-site power generation and heating building spaces; and electricity consumed for building power needs, including, but not limited to lighting, water conveyance, and air conditioning.

The California Emissions Estimator Model (CalEEMod) Version 2016.3.2 was used to estimate energy consumption from construction and operation of Project development using information provided by the Project applicant and CalEEMod default values for projects in San Luis Obispo County. The CalEEMod results (Appendix C) provide the average travel distance, vehicle trip numbers, and vehicle fleet mix during construction and operation of the Project. The CalEEMod results additionally provide the estimated gross electricity and natural gas consumption by land use during operation of proposed development on the Project site. The values contained therein are used in this analysis to determine the anticipated energy consumption during construction and operation of the Project.

This analysis takes into consideration the equipment and processes employed during construction on the Project site and the land uses, location, and VMT per service population of the Project to qualitatively determine whether energy consumed during construction and operation would be wasteful, inefficient, or unnecessary.

Significance Thresholds

Appendix G of the *State CEQA Guidelines* considers a project to have a significant impact on energy resources if the project would:

1. Result in wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
2. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

b. Project Impacts and Mitigation Measures

Threshold 1:	Would the Project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?

Impact E-1 PROJECT CONSTRUCTION AND OPERATION WOULD REQUIRE TEMPORARY AND LONG-TERM CONSUMPTION OF ENERGY RESOURCES. HOWEVER, THE PROJECT WOULD NOT RESULT IN THE WASTEFUL, INEFFICIENT, OR UNNECESSARY CONSUMPTION OF ENERGY RESOURCES. THIS IMPACT WOULD BE CLASS III, LESS THAN SIGNIFICANT.

Construction

Project construction would require energy resources primarily in the form of fuel consumption to operate heavy equipment, light-duty vehicles, machinery, and generators. Temporary grid power may also be provided to construction trailers or electric construction equipment. Table 4.15-4 summarizes the anticipated fuel consumption from construction equipment and vehicles, including construction worker trips to and from the Project site.

Table 4.15-4 Construction Fuel Consumption

	Fuel Consumption (Gallons)	
Source	**Gasoline**	**Diesel**
Construction Equipment & Hauling Trips	–	156,893
Construction Vendor Trips	–	143,445
Construction Worker Vehicle Trips	175,154	–

See Appendix C for CalEEMod default values for fleet mix and average distance of travel, and energy calculation sheets.

As shown in Table 4.15-4, construction of the Project would require approximately 175,154 gallons of gasoline and 300,338 gallons of diesel fuel. Energy use during construction activities would be temporary in nature, and construction equipment used would be typical of similar-sized construction projects in the region. In addition, construction contractors would be required to comply with the provisions of 13 California Code of Regulations Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes, which would minimize unnecessary fuel consumption. Construction equipment would be subject to the U.S. EPA Construction Equipment Fuel Efficiency Standard (40 Code of Federal Regulations Parts 1039, 1065, and 1068), which would minimize inefficient fuel consumption. Electrical power would be consumed during construction activities, and the demand, to the extent required, would be supplied from existing electrical infrastructure in the area.

Overall, construction activities would utilize fuel-efficient equipment consistent with state and federal regulations and would comply with state measures to reduce the inefficient, wasteful, or unnecessary consumption of energy. Construction contractors would not be anticipated to utilize fuel in a manner that is wasteful or unnecessary as a business practice to ensure cost efficiency. Moreover, the use of energy to construct new development on the Project site would not be unnecessary because the intention of the Project is to provide additional destinations for winery and other coastal California tourism opportunities in the City of Paso Robles. Therefore, Project construction would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant.

Operation

Energy demand from operation of Project development would include fuel consumed by passenger vehicles; natural gas consumed for heating and cooking in residential and non-residential buildings; and electricity consumed by residential and non-residential buildings including, but not limited to lighting, water conveyance, and air conditioning. Project energy usage from vehicle fuel consumption and electricity and natural gas usage is summarized in Table 4.15-5.

Table 4.15-5 Operational Energy Usage

Source	Energy Consumption	
Vehicle Trips		
Gasoline	454,334 gallons	49,880 MMBtu
Diesel	85,156 gallons	10,854 MMBtu
Built Environment		
Electricity	4,224,840 kWh	14,415 MMBtu
Natural Gas Usage	16,750,640 kBtu	16,751 MMBtu

kBtu = thousand British thermal units, MMBtu = million British thermal units, kWh = kilowatt-hours
See Appendix C for fleet mix, VMT, electricity consumption, and natural gas consumption values.

Vehicle Trips

As shown in Table 4.15-5, vehicle trips generated by the Project would require approximately 454,334 gallons of gasoline and 85,156 gallons of diesel fuel, or 60,734 million Btu (MMBtu) annually. Gasoline and diesel fuel demands would be met by existing gasoline stations in the vicinity of the Project site. The Project has been designed with a mix of land uses, including resort residential, workforce housing, commercial, hotel, and agricultural land uses. The Project also includes pedestrian paths and retention and extension of bicycle lanes along South Vine Street, providing pedestrians and bicyclists with off-street circulation options. An existing transit stop is also located in the Target Shopping Center to the south of the Project site, providing nearby access to transit throughout the region. The proposed bicycle and pedestrian facilities and availability of public transit as an alternative to single-occupancy vehicles would encourage the use of alternative transportation modes, which would reduce VMT and associated fuel consumption. In addition, vehicles driven by future residents, employees, visitors, and patrons of the proposed uses on the Project site would be subject to increasingly stringent federal and state fuel efficiency standards, minimizing the potential for the inefficient consumption of vehicle fuels. As a result, vehicle fuel consumption resulting from the Project would not be wasteful, inefficient, or unnecessary.

Built Environment

As shown in Table 4.15-5, the Project would consume approximately 4,224,840 kilowatt-hours (kWh) per year of electricity for lighting and large appliances, and approximately 16,750,640 kBtu per year of natural gas for heating and cooking, or 31,166 MMBtu annually. Electricity would be supplied by on-site solar generation or PG&E, and natural gas would be supplied by SoCal Gas.

The Project would require permanent grid connections for electricity and natural gas. Construction of the proposed residential and non-residential buildings would comply with the 2019 California Building Energy Efficiency Standards for Residential and Non-residential Buildings and CALGreen (California Code of Regulations Title 24, Parts 6 and 11) or later versions, which are anticipated to be more stringent than the 2019 codes. The 2019 standards require the provision of electric vehicle supply equipment, water-efficient plumbing fixtures and fittings, recycling services, solar on low-rise residential development, solar-readiness on commercial development, and other energy-efficient measures that would reduce the potential for the inefficient use of energy. Adherence to Title 24 requirements, and implementation of Mitigation Measure AQ-3, would ensure that the Project would not result in wasteful and inefficient use of non-renewable resources due to building operation. As a result, energy consumption resulting from the Project's built environment would not be wasteful, inefficient, or unnecessary, and this impact would be less than significant.

Mitigation Measures

This impact would be less than significant without the need for mitigation.

Threshold 2:	Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Impact E-2 THE PROJECT WOULD NOT BE CONSISTENT WITH THE CITY'S CLIMATE ACTION PLAN ENERGY EFFICIENCY MEASURES. THIS IMPACT WOULD BE CLASS II, LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED.

The city's Climate Action Plan and General Plan contain measures intended to increase energy efficiency and expand the use of renewable energy. As discussed under Impact E-1, the Project would incorporate features to reduce energy consumption as required by the 2019 Building Energy Efficiency Standards and CALGreen. Therefore, the Project would be consistent with Goal C-7 and Policy C-7A of the General Plan. However, as discussed in Section 4.7, *Greenhouse Gas Emissions*, the Project does not include all applicable "mandatory" measures, such as measures requiring high-efficiency lighting and small-scale solar systems (Measures E-5 and E-6), access to public transit and electrical vehicle charging stations (Measures TL-3 and TL-7), CALGreen water efficiency standards (Measure W-1), and construction waste diversion (Measure S-1). Therefore, the project would be inconsistent with the city's Climate Action Plan, resulting in a conflict with a local plan related to energy efficiency. As a result, this impact would be potentially significant.

Mitigation Measure

Mitigation Measure GHG-1 described in Section 4.7, *Greenhouse Gas Emissions*, would require preparation of the GHG Emissions Reduction Plan for the Project to reduce operational GHG emissions through implementation of GHG reduction measures. Mitigation Measure AQ-3 in Section 4.3, *Air Quality*, would also offset the Project's operational energy demand by requiring that energy efficient appliances and on-site renewable energy systems be used in the proposed development on the Project site.

Significance After Mitigation

Implementation of Mitigation Measure GHG-1 would ensure that the Project would be consistent with the city Climate Action Plan, and implementation of Mitigation Measure AQ-3 would serve to further avoid excessive energy consumption and promote energy efficiency for the Project. With implementation of these measures, impacts would be less than significant.

4.15.3 Cumulative Impacts

A Project's environmental impacts are "cumulatively considerable" if the "incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects" (CEQA Guidelines Section 15065[a][3]). The geographic scope for energy consumption is San Luis Obispo County. This geographic scope is appropriate because the smallest scale at which energy consumption information is readily available is the county level.

Cumulative development in San Luis Obispo County would increase demand for energy resources. However, new iterations of the California Building Energy Efficiency Standards and CALGreen would require increasingly more efficient appliances and building materials that reduce energy consumption in new development. In addition, vehicle fuel efficiency is anticipated to continue improving through implementation of the existing Pavley regulations under AB 1493, and implementation of the San Luis Obispo Council of Governments 2019 Regional Transportation Plan would reduce per capita VMT in San Luis Obispo County. Cumulative development in San Luis Obispo County will also be required to be consistent with applicable provisions of the SLOCOG Regional Transportation Plan/Sustainable Communities Strategy and with the San Luis Obispo County EnergyWise Plan, which implements the county's greenhouse gas emissions reduction goals established in the county General Plan Conservation and Open Space Element.

Project development would be constructed in accordance with the California Building Energy Efficiency Standards and CALGreen and would include energy-saving features that would reduce the potential for wasteful, inefficient, and unnecessary consumption of energy resources. However, as discussed under Impact E-2, the Project would be inconsistent with the city's Climate Action Plan, which was adopted to reduce the cumulative impact of energy consumption in Paso Robles. With implementation of Mitigation Measures GHG-1 and AQ-3, the Project would not have a cumulatively considerable contribution to a significant cumulative impact related to the wasteful, inefficient, and unnecessary consumption of energy resources.

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4.16 Less Than Significant Effects

This section provides a discussion of effects found not to be significant or less than significant. Note that a number of impacts that were found to be less than significant are addressed in the various EIR topical sections (Sections 4.1 through 4.15) where a more comprehensive analysis was deemed appropriate.

4.16.1 Geology and Soils

Potential Environmental Effects

- Would the Project 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?

Reasons Why Effects Were Not Found Significant

Development on the Project site would connect to existing city utility services for wastewater and would not require septic tanks or alternative wastewater disposal system. Therefore, the Project would result in no impacts related to soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.

4.16.2 Hazards and Hazardous Materials

Potential Environmental Effects

- Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?
- 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 or excessive noise for people residing or working in the project area?
- Would the Project 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, create a significant hazard to the public or the environment?

Reasons Why Effects Were Not Found Significant

The Project site is located approximately 1.5 miles southwest of the nearest school, Pat Butler Elementary School. The Project site is located approximately six miles southwest of the Paso Robles Municipal Airport and is outside of the airport safety zones and noise contours identified in the Airport Land Use Plan (2005). The Project site does not contain any sites that are included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 (Cortese List), and no such listings are near the Project site. U.S. 101, SR 46 West, and related urban uses are in the general vicinity to the south and east of the Project site. Therefore, these impacts would be less than significant.

4.16.3 Hydrology and Water Quality

Potential Environmental Effects

- In flood hazard, tsunami, or seiche zones, would the Project risk release of pollutants due to project inundation?

Reasons Why Effects Were Not Found Significant

The Project site is located approximately 23 miles east of the Pacific Ocean. Elevations on the Project site range from approximately 750 to 960 feet above mean sea level (msl). The nearest lake is Lake Nacimiento, approximately 14 miles northwest of the Project site. Due to the distance and topography between the Project site and the nearest large bodies of water, tsunami and seiche impacts would be less than significant.

As identified in the General Plan Safety Element, the areas of the city immediately adjacent to the Salinas River are potentially subject to inundation in the event of unintended releases or surges from the Salinas Dam. The Project site is separated from the Salinas River by U.S. 101 and development east of the highways. Additionally, the Project site is located outside of the identified Salinas Dam Failure Inundation Area (General Plan Safety Element Figure S-7). Overall, potential impacts associated with flooding as a result of levee or dam failure, or inundation by mudflow, tsunami, or seiche would be less than significant.

4.16.4 Mineral Resources

Potential Environmental Effects

- Would the Project 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?
- Would the Project 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?

Reasons Why Effects Were Not Found Significant

The city's General Plan outlines policies that protect and conserve mineral resources identified by the State Geologist as being important mineral deposits. Based on the San Luis Obispo County Land Use View database, the Project site is not located in an Energy/Extractive or Extractive Resource area, or an identified County or EPA Mine area. Therefore, the Project would not result in any impacts associated with the loss of availability of a known mineral resource or mineral resource recovery site.

4.16.5 Noise

Potential Environmental Effects

- For a Project located within the vicinity of a private airstrip or 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?

Reasons Why Effects Were Not Found Significant

The Project site is located approximately six miles southwest of the Paso Robles Municipal Airport and is outside of the airport noise contours identified in the Airport Land Use Plan (2005). Therefore, the Project would not expose people residing or working in the project area to excessive noise levels from aircraft or other airport uses. This impact would be less than significant.

4.16.6 Population/Housing

Potential Environmental Effects

- Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads and other infrastructure)?
- Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacements housing elsewhere?

Reasons Why Effects Were Not Found Significant

The City of Paso Robles has a population of 31,244 and 11,962 housing units (Department of Finance 2019). The Project includes up to 80 new resort residential units and 17 workforce housing units, resulting in a total of 97 new dwelling units. At least some of the 80 potential resort residential units would likely be used as vacation properties, not full time residents that would generate new population in the city. However, as a conservative estimate, all 97 potential dwelling units on the Project site are considered as potentially population generating. Accordingly, these dwelling units could generate up to 263 new residents in the city (97 dwelling units x 2.71 people/unit [DOF 2019]). Although the project would result in the generation of new employees, these employees would likely come from the existing population in the city and would not contribute to new population growth. When added to the existing city population and housing stock, the Project would potentially increase the city's total population to an estimated 31,507 residents, and increase the total number of housing units to 12,059. The San Luis Obispo Council of Governments (SLOCOG) projects that the city will grow by approximately 6,299 new residents and 2,916 housing units by the year 2050.The city's development potential described in the General Plan Land Use Element establishes a maximum development potential of 16,818 residential dwelling units and population planning threshold of 44,000. Accordingly, the population and housing growth as a direct result of the Project would not be considered substantial in the context of the city and regional population and housing projections, and would not cause an exceedance of currently population or housing planning thresholds.

The Project would result in development beyond the existing city limits and Sphere of Influence (SOI). The proposed Project entitlements include an amendment to the City's SOI, annexation to the City of Paso Robles, General Plan amendment, and pre-zoning would require city, county, and LAFCO review and approval, including approval/acceptance of the municipal service review. Wastewater, potable and recycled water, and stormwater collection would be provided to the Project site through the extension of the existing city infrastructure. Access to the Project site would be from existing roadways adjacent to the site. Roadway improvements included in the Project, including the realignment of South Vine Street, are anticipated in the 2012 General Plan Circulation Element, which is currently being updated by the city. Extending existing city infrastructure to undeveloped areas outside of the Paso Robles city Limit would remove a potential obstacle to development in these areas. The Paso Robles Purple Belt Action Plan, adopted by the city in

September 2009, is intended to create a basis for an eventual physical boundary for urban growth and development outside the current city boundary. The Project would be consistent with the Purple Belt Action Plan, and limit the potential for urban development that would require extension of city infrastructure. No additional utility infrastructure or facilities beyond those necessary to accommodate the Project would be implemented through this Project. Additional future development in the vicinity of the Project site and outside the city limits would also be required to construct any infrastructure required to support such development, and the County of San Luis Obispo as the lead agency would be required to review the potential environmental effects of any such development consistent with the requirements of CEQA. There are no existing homes or residents on the Project site that would be displaced as a result of the Project.

In summary, the Project would not induce substantial unplanned population growth or displace substantial numbers of existing people or housing. These impacts would be less than significant.

5 Other CEQA Required Discussions

This section discusses other issues for which CEQA requires analysis in addition to the specific issue areas discussed in Section 4, *Environmental Impact Analysis*. These additional issues include: the potential to induce population growth and/or economic expansion; establishment of a precedent setting action; development or encroachment in an isolated or adjacent area of open space; removal of obstacles to growth; and significant and irreversible impacts on the environment.

5.1 Growth Inducement

Section 15126.2(d) of the *State CEQA Guidelines* requires that EIRs discuss the potential for projects to induce population or economic growth, either directly or indirectly. CEQA also requires a discussion of ways in which a project may remove obstacles to growth. Generally speaking, a project may be considered growth inducing if it results in one or more of the five conditions identified below:

1. Induces population growth;
2. Induces economic expansion;
3. Establishes a precedent setting action (e.g., an innovation, a radical change in zoning or general plan designation);
4. Results in development or encroachment in an isolated or adjacent area of open space or vacant land (i.e., being distinct from "infill" development); or
5. Removes an impediment to growth (e.g., the establishment of an essential public service or the provision of new access to an area).

The evaluation below is based on buildout of the Project which involves development of the following components or "areas": (1) a Vine Street Vineyard Hotel; (2) a Village Commercial Center, including workforce residential units; (3) a Hillside Premium Destination Resort Hotel; (4) a Promontory Commercial Center; (5a) Highway 46 Resort or (5b) 80 Multi-Family Residences; (6) a Vine Street Commercial Center; and (7) +/- 98 acres of agriculture and open space uses on the 170-acre Project site. The Project includes a request for a Sphere of Influence (SOI) amendment and an annexation from the County of San Luis Obispo into the City of Paso Robles, a Pre-Zoning application, and a General Plan amendment, approval of a Master Development Plan, a Lot Line Adjustment (PR/COAL 18-0098), a Vesting Tentative Tract Map (TTM 3120), and approval of a Development Agreement.

5.1.1 Population Growth

As discussed in Section 2, *Project Description*, the Project would result in up to 97 new dwelling units including 80 resort residential units and 17 workforce housing units. Development of the Project would add up to 263 residents to the city (97 dwelling units x 2.71 people/unit [DOF 2019]). When added to the city's existing population of 31,244, the city's total population with the Project would be 31,507 persons. As discussed in Section 4.15.7, *Population/Housing*, this increase in population is not considered substantial in the context of city and regional population projections. Approval of

the Project requires a determination of consistency with the city's General Plan, including consistency with Policy LU-1A of the city's Land Use Element. This policy, which describes the development potential of the General Plan, and is intended to provide an appropriate mix and diversity of land uses in Paso Robles. The General Plan development potential described in Policy LU-1A describes a maximum development potential of 16,818 residential dwelling units in the city. As described in Section 2, *Project Description*, the Project includes a General Plan Amendment to amend the land uses designations consistent with the Pre-Zoning application to allow development of future land uses.

Since the increase in housing units and population cause by the Project is not considered substantial, and since the proposed land uses and other aspects of the Project would be consistent with applicable policies in the General Plan, the overall effect of the proposed development on population growth in the city and surrounding areas would be less than significant.

5.1.2 Economic Growth

The Project includes residential and non-residential development. Proposed non-residential uses include a hotel and resort hotel and associated amenities, including conference and meeting rooms, and commercial and office uses. These uses are intended to provide a resort destination for winery and other coastal California tourism opportunities. The agricultural components of the Project include new vineyards in a productive and visible location. These aspects of the Project would contribute to economic growth by helping to attract tourists to the region and by providing a place for visitors to stay and shop in the region. In this respect, the Project would implement related actions outlined in the city's Economic Strategy (Paso Robles 2006:page 16).

The resort residential and workforce housing components of the Project may indirectly contribute to local economic growth as a result of the additional population increasing demand on the local economy for general goods. This aspect of the Project, however, would have only a limited effect on economic growth since the Project would not represent a major new source of employment in the city.

In summary, the Project is consistent with the overall economic strategies of the city but does not represent a significant employment generator that would attract new residential growth in the city. Therefore, the Project would not result in adverse impacts related to substantial economic growth.

5.1.3 Precedent Setting Action

The Project site is currently located in the unincorporated area of San Luis Obispo County. While the Project site falls outside of the Paso Robles city limits, the site is in the city's General Plan Planning Impact Area, and included in the area covered by the city's Purple Belt Action Plan and the Paso Robles Gateway Plan: Design Standards. The easterly portion of the Project site is within the Paso Robles Urban Reserve Line defined by the County of San Luis Obispo. The Project site was also noted in the Memorandum of Agreement (MOA) between the city and the county at the time of the most recent Sphere of Influence (SOI) update in 2013 as a Special Area of Interest, establishing the processes and procedures for the area. The MOA described that "the City and property owners, in consultation with the County anticipate that a land use plan and EIR will be prepared in the near future." Infrastructure improvements, including expansions and improvements at the city's water and wastewater treatment plants, have occurred since the earlier LAFCO study. The proposal to develop the Project site at the current time would be supported by the improved ability of the city to accommodate planned growth. Annexation would be subject to approval by the San Luis Obispo

Local Agency Formation Commission (LAFCO) in coordination with both the City of Paso Robles and County of San Luis Obispo.

The Project, as proposed, would require discretionary approvals from the city including the General Plan amendment/pre-zoning, development agreement, and development plan for the 170-acre site, including a request for a SOI amendment and annexation of the site into the City of Paso Robles. Since the Project would be required to be consistent with the development parameters and what is envisioned for the area, it would not be considered precedent setting or growth inducing.

5.1.4 Development of Open Space/Vacant Land

Development of vacant or low intensity agricultural land is considered growth-inducing when it occurs outside urban boundaries or in isolated locations instead of infill areas. The Project site is currently located in the unincorporated area of San Luis Obispo County at the southwest edge of the city, and requires a SOI amendment and annexation for development of the Project. As proposed, approximately 82 acres of the Project site would be preserved for agricultural use including 32.3 acres in a permanent agricultural/ conservation easement, as required by Mitigation Measure AG-1, and approximately 49 acres of additional vineyard or other use. Approximately 16.6 additional acres would remain as habitat open space. Land under the same ownership to the north and west would also remain under agricultural use as vineyards. The Project would implement the city's Purple Belt Action Plan in the southwestern portion of the city by designating agricultural and open space areas on the Project site, and helping to provide a permanent buffer between the developed areas along the U.S. 101 and SR 46 West corridors and agricultural areas to the east and north. Development would also be designed to meet agricultural buffer standards and comply with the city's right to farm ordinance and other provisions that are specifically intended to emphasize agricultural use and avoid conflict with existing Williamson Act contracts in this area. Therefore, the Project would not result in the establishment of open space/vacant land in isolated areas that could induce growth at the city's periphery.

5.1.5 Removal of an Impediment to Growth

The Project would not result in the removal of an impediment for growth within the City of Paso Robles, as adequate access and services are already available for the adjacent and surrounding areas in the city. The eastern Project boundary is contiguous to urban land uses, while the remainder of the site borders agricultural uses outside of the city limit. The Project would facilitate a planned mixture of uses within the city's General Plan planning impact area. Approximately 82 acres of the Project site would also be preserved for agricultural use, including 32.3 acres in a permanent agricultural/ conservation easement as required by Mitigation Measure AG-1 and approximately 49 acres of additional vineyard or other use. As such, the Project would inhibit uncontrolled piecemeal growth and urban sprawl in the area.

Extending existing city infrastructure to undeveloped areas outside of the Paso Robles city Limit would remove a potential obstacle to development in these areas. Lands to the west of the Project site outside of the city limit are currently designated for agricultural use by the County of San Luis Obispo General Plan, and are available for such use, or currently in agricultural use with the support of existing infrastructure, including public and private roadways, and private wells. The city does not generally provide water service to properties beyond the city limits. The Paso Robles Purple Belt Action Plan, adopted by the city in September 2009, is intended to create a basis for an eventual physical boundary for urban growth and development outside the current city boundary. The Project would be consistent with the Purple Belt Action Plan, and limit the potential for urban

development that would require extension of city infrastructure. For these reasons the Project would not result in the removal of an impediment to growth.

No additional utility infrastructure or facilities beyond those necessary to accommodate the Project would be implemented through the Project. Therefore, future development outside of the city limit would still be required to construct any infrastructure required to support such development, and the County of San Luis Obispo as the lead agency would be required to review the potential environmental effects of any such development consistent with the requirements of CEQA. Urban development of County of San Luis Obispo land west of the Project site would result in potential environmental effects similar to the Project, depending on the type and level of construction. Residential development would have the potential to result in significant impacts in such areas as traffic, air quality, noise, biological and cultural resources, and land use compatibility relating to the direct interface with agricultural uses.

Overall, the Project would not induce new development outside of the Paso Robles city limit beyond the bounds of the Project site, or otherwise remove any existing impediment to growth.

5.2 Significant Unavoidable Effects

State CEQA Guidelines Section 15126(b) requires that an EIR identify those significant impacts that cannot be reduced to a less than significant level with the application of mitigation measures. As discussed in Sections 4.3, 4.7, and 4.13, implementation of the Project would result in the following significant and unavoidable impacts:

- Air Quality – Inconsistency with the 2001 Clean Air Plan, and long-term contaminant emissions
- Greenhouse Gas (GHG) Emissions – Increases in GHG emissions, and inconsistency with GHG reduction plans
- Transportation/Traffic – Existing + Project and General Plan Buildout + Project traffic conditions

5.3 Significant Irreversible Environmental Effects

State CEQA Guidelines Section 15126.2(c) requires a discussion of any significant irreversible environmental changes that would be caused by the Project should it be implemented. Such significant irreversible environmental changes may include the following:

- Use of non-renewable resources during the initial and continued phases of the Project that would be irreversible because a large commitment of such resources makes removal or non-use unlikely;
- Primary impacts and, particularly secondary impacts (such as highway improvement that provides access to a previously inaccessible area) that generally commit future generations to similar uses; or
- Irreversible damage which may result from environmental accidents associated with the Project.

Urban development on the Project site would result in the permanent conversion of open, agricultural lands to residential and non-residential uses. Development facilitated by the Project would also require building materials and energy, some of which are non-renewable resources. Consumption of these resources would occur with any development in the region and are not unique to the Project. The addition of new resort residential and workforce housing units and non-residential space would irreversibly increase local demand for non-renewable energy resources such

as petroleum and natural gas. Mitigation Measure AQ-3 detailed in Section 4.3, *Air Quality*, would reduce wasteful or inefficient use of energy during Project construction to the maximum extent possible. Mitigation Measure AQ-3 would also offset the Project's operational energy demand by requiring that energy efficient appliances and on-site renewable energy systems be used in the proposed development on the Project site. It is not anticipated that growth facilitated by the Project would significantly affect local or regional energy supplies. Section 4.15, *Energy*, includes an analysis of potential impacts related to energy resources by construction and operation of the Project.

Growth accommodated under the Project would require an irreversible commitment of law enforcement, fire protection, water supply, wastewater treatment, and solid waste disposal services. These topics are discussed in Section 4.12, *Public Services and Recreation*, and Section 4.14, *Utilities/Service Systems*. Vehicle trips associated with the Project would incrementally contribute local traffic and noise levels and regional air pollutant emissions. These topics are discussed in Section 4.1, *Aesthetics*, Section 4.3, *Air Quality*, Section 4.7, *Greenhouse Gas Emissions*, and Section 4.11, *Noise*. Impacts related to air quality, GHG emissions, and transportation/traffic were determined to be significant and unavoidable.

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6 Alternatives

As required by Section 15126.6 of the *State CEQA Guidelines*, this EIR examines a range of reasonable alternatives to the proposed Project that would attain most of the basic Project objectives but would avoid or substantially lessen any of the significant adverse impacts of the Project. The *State CEQA Guidelines* state that "the range of alternatives required in an EIR is governed by a rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant impacts of the Project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the Project (Section 15126.6[f]). The EIR need not consider every conceivable alternative but must consider a reasonable range of alternatives that will foster informed decision making and public participation (Section 15126.6[a]).

In defining feasibility of alternatives, the *State CEQA Guidelines* state that "among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site" (Section 15126.6).

6.1 Project Objectives

As discussed in Section 2, *Project Description*, the objectives for the Project are as follows:

- Provide an attractive entrance into the wine country portion of the city from SR 46 West, and create a destination resort with conference facilities as a gateway entry feature in south Paso Robles, consistent with the "Town and Country Gateways" as defined in the city's Gateway Design Plan;
- Facilitate the realignment of South Vine Street by the city by providing the entire right-of-way and funding for construction of a portion of the realignment of South Vine Street in order to eliminate conflicts for traffic leaving and entering U.S. 101 at SR 46 West, implement the city's Circulation Element, and reduce congestion and vehicle emissions at the U.S. 101/SR 46 West interchange;
- Implement the city's Purple Belt Action Plan in the southwestern portion of the city by designating agricultural and open space areas along the western boundary of the Project site, and by locating tourist-serving and commercial uses along the South Vine Street and U.S. 101 corridor;
- Implement city General Plan goals related to achieving a small town character, high quality of life and balanced community through the planned development of a mixed use Project with hotel and visitor facilities, optional limited residential uses, commercial uses serving visitors and community residents, workforce housing, and agricultural/recreation/open space uses;
- Ensure that city services are maintained at their current levels by requiring new development to provide improvements (including completion of the South Vine Street realignment project by

the city in accordance with the Pre-Annexation and Development Agreement) and funding as necessary; and

- Develop uses that will contribute to the long term financial well-being of the City through collection of revenues through Transit Occupancy Tax.

6.2 Significant and Unavoidable Impacts of the Project

The Project would result in significant and unavoidable impacts to air quality, greenhouse gas (GHG) emissions, and transportation/traffic.

Air Quality

Operation of the Project would result in ongoing air pollutant emissions associated with vehicle trips, natural gas use, and area sources, such as landscaping, consumption of consumer products, and off-gassing from architectural coatings. Daily and annual operational emissions associated with the Project exceed the applicable SLOAPCD operational emissions thresholds. Implementation of the mitigation measures would reduce impacts to regional air quality. However, it is unlikely that these measures would reduce operational emissions by over 50 percent, such that daily combined ROG + NO_X emissions would be below SLOAPCD's daily significance thresholds for ROG + NO_X. No further feasible mitigation measures are available. Therefore, the Project would result in a long-term increase in criteria pollutants for which the SCCAB is in nonattainment, and long-term operational impacts would be significant and unavoidable. Also, the Project's percent increase in total vehicle miles traveled (VMT) would exceed the Project's contribution to population growth, despite implementation of all feasible mitigation measures, resulting in inconsistency with the 2001 CAP VMT assumptions for the city. Therefore, cumulative impacts on air quality would be significant and unavoidable.

Greenhouse Gas Emissions

The combined annual GHG emissions from the Project would be approximately 8.8 metric tons (MT) of CO_2e per service person per year, which would exceed the locally-appropriate, Project-specific threshold of 3.3 MT of CO_2e per service person per year. Implementation of Mitigation Measure GHG-1 would reduce GHG emissions from the anticipated on-site development, but would not substantially reduce GHG emissions from mobile sources, which make up approximately 52 percent of the Project's GHG emissions. As a result, implementation of Mitigation Measure GHG-1 would not ensure the Project's annual GHG emissions would not exceed the locally-appropriate, Project-specific 2030 efficiency threshold. Because the Project's emissions may exceed the locally-appropriate, Project-specific 2030 efficiency threshold and no further feasible mitigation measures are available, the Project may impede substantial progress toward meeting the state's 2030 and 2045 GHG reduction goals, and impacts related to GHG emissions would remain significant and unavoidable.

The Project would be also be inconsistent with the City's Climate Action Plan, 2019 Regional Transportation Plan (RTP), and the 2017 Scoping Plan. While implementation of Mitigation Measures AQ-1, AQ-3, GHG-1, and GHG-2 would ensure the Project is consistent with the regional GHG reduction measures targets in the city's Climate Action Plan and 2019 RTP, the Project would remain inconsistent with the state's adopted reduction targets contained in the 2017 Scoping Plan and EO B-55-18. Therefore, the Project would be inconsistent with this GHG reduction plans, and this impact would be significant and unavoidable.

Transportation/Traffic

The Project would add traffic to intersection and freeway facilities in the Project study area where level of service (LOS) exceeds the Caltrans LOS C and County LOS D targets. With implementation of traffic mitigation, most study-area intersections and freeway segments would operate at pre-Project conditions or better. However, the Project would still add trips to the southbound and northbound off-ramps at the U.S. 101/Main Street interchange, which currently operate at LOS E during the PM peak hour and exceed the County LOS D targets for the interchange. While Caltrans and the County are working cooperatively to provide improvements to the U.S. 101/Main Street interchange, such improvements are in the beginning planning phases and funding and feasibility cannot be guaranteed at this time, and are beyond the control of the City. Therefore, Project impacts to these intersections would be significant and unavoidable.

Under General Plan Buildout + Project conditions, U.S. 101 mainline segments and Intersection Operations would exceed the Caltrans LOS C target. Development and implementation of final future improvements to the impacted Caltrans intersection and impacted freeway segments would require coordination with and approval from Caltrans. Additionally, fair share funding paid by the Project applicant, as required by Mitigation Measure T-5, would not fund U.S. 101 improvements or alternative transportation measures where impacts are identified on U.S. 101 mainline because funding programs are not available for those measures. Because of the lack of feasible mitigation to address this impact and because of uncertainty associated with timing and implementation, identified impacts to the impacted Caltrans intersection and freeway segments would be significant and unavoidable.

6.3 Alternatives Analysis

This discussion focuses on alternatives to the Project, including alternatives which were considered and rejected, as well as the CEQA-required “No Project” alternative. Alternatives have been selected for their ability to provide a reasonable range of options that comply with the City’s General Plan and substantially reduce or eliminate the one or more of the adverse impacts associated with Project development, while still meeting basic Project objectives. The alternatives are intended to help decision makers and the public understand the general implications of revising or eliminating certain components of the Project. Consistent with the *State CEQA Guidelines* (§15126.6[e]), the “No Project” analysis discusses the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the Project is not approved, based on current plans and consistency with available infrastructure and community services.

As required by Section 15126.6(c) of the *State CEQA Guidelines*, the selection of alternatives for this EIR included a screening process to determine a reasonable range of alternatives, which could reduce significant effects but also feasibly meet Project objectives. The factors that may be considered when addressing the feasibility of alternatives include site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site. For the Project, characteristics used to reject alternatives from further consideration include:

- Failure to meet basic Project objectives;
- Limited effectiveness in reducing Project-induced environmental impacts;
- Inconsistency with city policies, including the General Plan;

- Potential for inconsistency with adopted agency plans and policies; and
- Reasonableness of the alternative when compared to other alternatives under consideration.

The following alternative was considered on a preliminary basis, but eliminated from further analysis by the city due to one or more of the factors listed above:

- Alternate Project Site Location

Under this alternative, another site in the City of Paso Robles would be developed with a hotel use as planned under the current proposal. However, development under this alternative would be limited to a site with existing Regional Commercial (RC) land use designation and Commercial-Highway zone district with a Planned Development zoning overlay (C2-PD) to meet one of the major Project objectives. Accordingly, alternate sites with the appropriate zoning and land use designations were examined. Most of the appropriate sites are currently developed with a select few undeveloped parcels which could accommodate new development. However, new development on a previously undisturbed site could result in a variety of impacts associated with new ground disturbance, incompatible surrounding uses, and services and utilities that would be needed to serve the site. Therefore, this option was considered and rejected, consistent with *State CEQA Guidelines* Section 15126.6(c).

The following three alternatives are evaluated in this EIR:

- Alternative 1: No Project – No Development
- Alternative 2: Rural Residential Development in County Jurisdiction
- Alternative 3: Reduced Development

As required by CEQA, this section also includes a discussion of the “environmentally superior alternative” among those studied.

Table 6-1 provides a summary comparison of the potential buildout characteristics of the proposed Project and each of the alternatives considered. Detailed descriptions of the alternatives are included in the impact analysis for each alternative. The potential environmental impacts of each alternative are analyzed in Sections 6.4 through 6.6.

Table 6-1 Comparison of Project Alternatives' Buildout Characteristics

Feature	Proposed Project	Alternative 1: No Project	Alternative 2: Rural Residential Development in County Jurisdiction	Alternative 3: Reduced Development
Project Site	170 acres	170 acres	170 acres	170 acres
Vine Street Vineyard Hotel	4.5 acres, 76,000 square feet, 100 rooms, conference room and pool, 84 parking spaces	0 acres, 0 units	0 acres, 0 units	0 acres, 0 units
Village Commercial Center	5.5 acres, 37,100 square feet; including: 18,200 square feet of retail area, 2 restaurants totaling 5,600 square feet, 3,800 square feet of office area, 17 workforce residential units in conjunction with retail uses and 159 parking spaces	0 acres, 0 units	0 acres, 0 units	0 acres, 0 units
Hillside Hotel	36 acres, 200,000 square feet; up to 225 rooms, 5,000 square feet of restaurants, 7,000 square foot spa, a 20,000 square foot administrative back house, and 581 parking spaces	0 acres, 0 units	0 acres, 0 units	36 acres, 200,000 square feet; up to 225 rooms, 5,000 square feet of restaurants, 7,000 square foot spa, a 20,000 square foot administrative back house, and 581 parking spaces
Promontory Commercial Center	2.5 acres, 24,000 square feet commercial and office uses, 73 parking spaces	0 acres, 0 units	0 acres, 0 units	0 acres, 0 units
Multi-Family with Resort Overlay	19 acres, A maximum 80 residences that may be used as multi-family residences	0 acres, 0 units	69.6 acres, 34 residential lots, 68 units maximum, Residential Suburban Zoning would allow for RSF development	19 acres, A maximum 80 residences that may be used as multi-family residences
Vine Street Commercial	1.6 acres, 22,000 square feet commercial and office uses, 66 parking spaces	0 acres, 0 units	0 acres, 0 units	0 acres, 0 units

Feature	Proposed Project	Alternative 1: No Project	Alternative 2: Rural Residential Development in County Jurisdiction	Alternative 3: Reduced Development
Agriculture	98 acres of vineyards, orchards, areas throughout the property that would remain in agriculture, agriculture production, and open space.	170 acres, current low-intensity agriculture (grazing)	99.77 acres, 6 lots; Agriculture Zoning would allow for Residential Single Family development on larger lots (10-20 acres)	98 acres of vineyards, orchards, areas throughout the property that would remain in agriculture, agriculture production, and open space.
General Plan Amendment Required?	Yes Amend land use designations to be consistent with Pre-Zoning Application	No	No	Yes Amend land use designations to be consistent with Pre-Zoning Application
SOI Amendment Required?	Yes	No	No	Yes
South Vine Street Realignment Required?	Yes	No	No	Yes

6.4 Alternative 1: No Project – No Development

6.4.1 Description

Consistent with the *State CEQA Guidelines* (§15126.6[e]), the "No Project" alternative reflects the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the Project is not approved, based on current plans and consistency with available infrastructure and community services. Therefore, this alternative assumes that no new development or changes to land uses would be introduced to the site. Additionally, the proposed annexation, Sphere of Influence (SOI) amendment, and General Plan Amendment, would not occur under this alternative. As a result, this alternative would continue the existing low-intensity agriculture (primarily grazing) and related activities to maintain the ranching operation.

6.4.2 Impact Analysis

Alternative 1 differs from the proposed Project primarily by not introducing new development or changes to land uses on the Project site. Therefore, this alternative would continue the existing low-intensity agriculture (primarily grazing) and related activities to maintain the ranching operation. This alternative assumes that the proposed new land uses, introduction of infrastructure and services, and construction practices would not occur.

The views of the Project site would retain the open grasslands and oak-lined stream corridors, and there would be no additional vineyard cultivation in the vicinity. Thus, the primary effect of this alternative would be a reduction in impacts to aesthetics, air quality, and transportation to less than

significant levels. A brief summary of other CEQA issues under this alternative is presented at the end of this discussion.

Air Quality

This alternative would not introduce development or land uses that would require construction or generate new vehicle trips in the Project area. Therefore, Alternative 1 would not introduce short-term and long-term ROG + NO_X and PM_{10} emissions or increase VMT such that this alternative would result in inconsistency with SLOAPCD's 2001 Clean Air Plan. Ultimately, the impacts to air quality would be reduced in comparison to the Project and would be less significant.

Greenhouse Gas Emissions

This alternative would not introduce new development that would require construction and operation that would generate temporary and long-term increases in GHG emissions. This alternative would be consistent with the city's Climate Action Plan, 2019 RTP, the 2017 Scoping Plan, and EO B-55. Therefore, this alternative would have substantially reduced impacts related to greenhouse gas emissions than the Project, and impacts would not be significant.

Transportation

This alternative would not implement development or land uses that would introduce new traffic or changes to the local roadway network. Additionally, Alternative 1 would not include the proposed realignment to South Vine Street. Therefore, this alternative would not affect freeway operations and intersection operations. Alternative 1 would result in reduced impacts to transportation in comparison to the Project, and would not result in significant and unavoidable impacts as identified for the Project.

Other Environmental Topics

Aesthetics

Alternative 1 would result in a continuation of the low-intensity agricultural pattern of land use on the Project site. Thus, the proposed grading and tree removal associated with the proposed residential or commercial development would not occur. As a result, this alternative would have no impact on the existing rolling topography, vegetation and trees, and intermittent drainages that comprise the Project site. Ultimately, the primary effect of this alternative would be maintaining existing views of and through the Project site from public roadways, including South Vine Street, U.S. 101, and SR 46 West. This alternative would also avoid adding new sources of light and glare on the Project site. Therefore, impacts related to light and glare, visual corridors, scenic roadways, gateways, scenic vistas, and other visual resources would be reduced in comparison to the project, and would be less than significant.

Agriculture and Forestry Resources

The Project site is currently undeveloped and used for cattle grazing. This alternative would not alter existing zoning for agricultural use. Also, this alternative would not require Unique Farmland or land with a soil type classified as Farmland of Statewide Importance to be converted to non-agricultural uses. Because this alternative does not introduce new development, no agricultural buffers are required in relation to existing agriculture land uses on adjacent property. This alternative would

not result in the conversion of forest land to non-forest uses. Therefore, this alternative would result in reduced impacts to agriculture and forestry resources in comparison to the Project.

Biological Resources

This alternative does not introduce new development that would require ground disturbing activities. Therefore, there would be no impacts to special status species, riparian habitats, state and federally-protected wetlands, oak trees, or Habitat Conservation Plans. Alternative 1 would have substantially less impact on biological resources in comparison to the Project.

Cultural Resources

Unlike the Project, this alternative does not require grading and excavation in areas that could contain unanticipated subsurface prehistoric archaeological remains and human remains. Also, no ground-disturbing activities are proposed for this alternative. Therefore, there is no potential to disturb tribal cultural resources. Alternative 1's impacts to cultural resources would be substantially reduced in comparison to the Project.

Geology and Soils

Alternative 1 does not propose development that would be exposed to or exacerbate risks associated with geologic hazards. This alternative also does not require grading, excavation, or ground-disturbing activities. Therefore, there is no potential to cause soil erosion. This alternative's impacts to geology and soil would be substantially less than the Project.

Hazards and Hazardous Materials

No construction is proposed; therefore, this alternative would not result in exposure to hazardous materials, and would not impede emergency response or emergency evacuation plans. Also, this alternative would not result in additional human presence in a high fire hazard zone. This alternative's impacts related to hazards and hazardous materials would be substantially less than the Project.

Hydrology and Water Quality

This alternative does not require grading associated with new development. Therefore, this alternative would not impact the drainage and water quality on and in the vicinity of the Project site. This alternative would result in reduced impacts to water quality and hydrologic conditions in comparison to the proposed Project.

Land Use and Planning

Alternative 1 would not introduce new development and would not require the requested Sphere of Influence (SOI) amendment, annexation from the County of San Luis Obispo to the City of Paso Robles, a Pre-Zoning application, or a General Plan Amendment. Overall, this alternative would be consistent with applicable county policies and standards, and the land use strategy in SLOCOG's 2014 Regional Transportation Plan/Sustainable Communities Strategy, and would result in reduced potential land use impacts in comparison to the proposed Project.

Noise

This alternative would not introduce new land uses that would create new noise sensitive uses or generate operation noise from land uses or traffic generation. Also, this alternative would not require a construction phase that would result in temporary noise or groundborne vibration. Potential noise impacts of this alternative would be less than the Project.

Public Services

This alternative would not introduce new land uses that would impact fire protection services, police services, public schools, parks and recreation facilities, and library facilities. Alternative 1's impacts to public services would be reduced in comparison to the Project.

Utilities

No development is proposed under this alternative. Therefore, there would be no impacts to water facilities, stormwater facilities, wastewater facilities, solid waste services, or landfill capacity. Alternative 1's impacts to utilities would be reduced in comparison to the Project.

Energy

This alternative would not require temporary and long-term consumption of energy resources. Also, this alternative would be consistent with the city's Climate Action Plan energy efficiency measures. Therefore, Alternative 1 would have substantially less impact to energy in comparison to the Project.

6.5 Alternative 2: Residential Rural Development in County Jurisdiction

6.5.1 Description

This alternative assumes that the proposed request for annexation from the County of San Luis Obispo into the City of Paso Robles, SOI amendment, Pre-Zoning application, General Plan amendment, Planned Development Permit, and Development Agreement would not occur. Therefore, this alternative would lead to development of the Project site under the County jurisdiction, and consistent with the current land use categories and requirements in the County of San Luis Obispo General Plan and Land Use Ordinance. These conditions would result in fewer agricultural lots, residential lots, dwelling units, and no commercial or visitor-serving land uses on the Project site, in comparison to the proposed project.

The Project site is located within the County of San Luis Obispo North County Inland Area Plan (and Salinas River Sub Area), and a portion of the site is within the Paso Robles Urban Reserve Line (URL). There are two land use categories that apply to the Project site: Agriculture (AG) and Residential Suburban (RS). The URL includes 69.6 acres fronting South Vine Street, and extends into the north-central portion of the site. This portion of the property has the RS (Residential Suburban) land use category, as shown in the Paso Robles Urban Reserve Line Land Use Categories map (San Luis Obispo County, March 8, 2017). The remaining areas of the property (99.77 acres) are in the AG land use category (Salinas River Subarea Rural Land Use Category Map, San Luis Obispo County, March 8, 2017). Refer to Section 2.4.1 in the Project Description for more information about these areas.

For the RS portion of the Project site, subdivision under the County jurisdiction would be based upon the allowable density or minimum required lot size as determined by applying different 'tests,' as specified in the County Land Use Ordinance (Section 22.22.070). These tests involve determining the average slope and the type of water and sewer service that would be used by new parcels. If the land were to remain in the unincorporated jurisdiction, then municipal water and sewer service would not be available. Given the high capacity agricultural wells on the property, it is likely that a community well system could be provided, which would allow a minimum parcel size of 2 acres (Section 22.22.070.B.). Based on records from the County's parcel data base, if the average slope on a proposed lot were greater than 30 percent, then the lot size would need to be 3 acres. Thus, for the 69.6 acres of land with the RS category, up to 34 residential lots would be allowed, as shown in Table 6-2.

For the AG-zoned portion of the Project site (99.77 acres), the County Land Use Ordinance has a more complex procedure for determining allowable lot sizes for subdivisions, which relates minimum lot size to the productivity of the agricultural land based on current uses or on soil type (Section 22.22.040). This provision of the Land Use Ordinance is appropriately used when subdivisions of agricultural land are proposed. In this part of the Project site, there are three existing parcels, two of which are currently smaller than the minimum allowable lot size under the Land Use Ordinance. Thus, the standards for existing lots as set forth in the Land Use Ordinance would apply, rather than the standards applied to land subdivisions. As a general rule, for lots relying on septic tanks a minimum lot size of 1.0 acre is required for any residential use (Section 22.10.110.C.Footnote 1), so it is presumed that each of these smaller lots could have one primary residence.

It is possible that the larger lot in the AG category could be subdivided in the future. The allowable future lot size would depend on factors such as soil type and agricultural production as specified in the Subdivision Design requirements in the Land Use Ordinance that apply to the AG category (Section 22.22.040). If the appropriate soils and or crop tests were met, the minimum potential lot size would be 20 acres, but larger sizes (i.e. fewer lots) could be required. To estimate the maximum development, a 20-acre lot size will be assumed. Additional farm support quarters, transitional housing and other supportive housing may also be allowed, but depend on the lot size and on the actual use of the parcel. For this reason the potential for additional housing support quarters is not quantified in this analysis.

Table 6-2 below summarizes the potential residential development on the property under the existing RS and AG land use categories in the County jurisdiction.

Table 6-2 Development in County Jurisdiction

APN	Acreage (AP Map)	Current County Land Use Category	Average Slope	Minimum Parcel Size (acres)*	Potential No. of Lots
040-031-017	14.80	RS	17%	2	7
040-031-019	1.30	RS	10%	1	1
040-031-020	53.44	RS	17%	2	26
040-091-039	16.77	AG	NA	Existing	1
040-091-041	2.01	AG	NA	Existing	1
040-031-001	81.00	AG	NA	20	4
Total	**169.30**				**40**

* In the AG category it is assumed that existing parcels smaller than 20 acres would be allowed one residence, and that tests for soils, irrigation water, and/or productive crops (vineyards) would be met in order to allow a minimum lot size of 20 acres in the remaining area.

Approximately 34 of the potential residential lots would be located on the north and central portion of the Project site. These gently sloping hillsides are the part of the property generally visible from U.S. 101 and South Vine Street. This scattered, low-density pattern of residential development would be somewhat similar to the subdivisions to the north, although with smaller lot sizes since the land is not as steep as the northern topography. The AG portion of the Project site would develop similarly to the subdivided AG land to the west of the Project site, but would be less visible from U.S. 101, South Vine Street, and SR 46, due to steep topography and dense vegetation.

6.5.2 Impact Analysis

Alternative 2 differs from the proposed Gateway Project by not introducing commercial or visitor-serving uses. Also, by remaining consistent with the current land use categories, this alternative would result in fewer agricultural lots, residential lots, and dwelling units. Therefore, the environmental benefit of this alternative would be a reduction in impacts to aesthetics and air quality to less than significant levels, and a reduction in other impacts due to the reduced amount of site disturbance and reduced amount of vehicle trip generation. A brief summary of other CEQA issues under this alternative is presented at the end of this discussion.

Air Quality

Introducing new residential land uses to the Project site under this alternative would require construction that would generate air pollutant emissions. The overall reduction in development intensity in comparison to the Project would require less construction, which would reduce construction-relate air quality impacts. Limiting development to only residential land uses would also substantially reduce the operational air quality emissions associated with this alternative. Also, by removing the proposed commercial, hotel, and visitor-serving land uses, and reducing the number of dwelling units, the VMT and related vehicle air contaminant emissions associated with this alternative would be substantially less than for the proposed Project. Therefore, Alternative 2 would have reduced impacts air quality impacts than the Project, and impacts would be less than significant.

Greenhouse Gas Emissions

This alternative would reduce the amount of development and amount of associated construction and operational GHG emissions, including emissions associated with vehicle trips. Since this alternative would be consistent with the existing County land use designations, it would be consistent with the 2019 RTP/SCS. Nevertheless, this alternative includes development that would generate temporary and long-term increases in GHG emissions. Implementation of a GHG emissions reduction plan would be required to reduce GHG emissions to a level that is consistent with GHG reduction targets contained in the 2017 Scoping Plan and EO B-55. Overall, Alternative 2 would reduce greenhouse gas emissions impacts when compared to the Project.

Transportation

This alternative would generate substantially fewer vehicle trips than the Project. As a result, impacts to the transportation network in the study area as a result of traffic would be reduced under this alternative in comparison to the Project. Nevertheless, any trips added to the U.S. 101/Main Street interchange as a result of this alternative would exacerbate existing deficient conditions at the interchange, which would result in a significant and unavoidable impact in accordance with County criteria, similar to the Project. This alternative may also worsen the LOS on the U.S. 101 mainline under General Plan buildout conditions. Due to the lack of feasible mitigation because of uncertainty associated with timing and implementation, this impact would be significant and unavoidable, similar to the Project.

In addition, the lower amount of construction would reduce short-term traffic impacts. However, this alternative would not facilitate construction of the South Vine Street realignment, which provides substantial circulation benefits with the proposed Project. Therefore, potential impacts to transportation would be similar for this alternative when compared to the Project.

Other Environmental Topics

Impacts from this alternative with respect to other issues would generally be reduced compared to the Project, due to the reduced amount of site disturbance and reduced amount of vehicle trip generation. Brief descriptions of each issue area are provided below.

Aesthetics

The primary advantage or environmental benefit of Alternative 2 would be a reduction in the change in appearance of the hillsides visible from South Vine Street and the U.S. 101 and SR 46 West corridors. Similar to the Project, this alternative would involve residential development on the Project site that would alter existing views from surrounding public viewpoints to a more developed condition, as the appearance of roadways, driveways, residences, and ancillary buildings would develop. Implementation of this alternative would involve grading on hillsides and removal of native oak trees within the north and central portions of the Project site, visible from surrounding roadways. However, this effect and other impacts to visual scenic resources would be substantially reduced in comparison to the Project due to the overall reduction in site disturbance and structural development, and would be less than significant.

Agriculture and Forestry Resources

Under this alternative, the amount of new development would be substantially reduced. The County's AG land use designation allows for residential uses; therefore, this alternative would have

a less than significant impact related to alterations to existing agriculture zoning on the Project site. In addition to residential use, properties designated for AG zoning would likely have agricultural land uses, such as grazing, and ancillary uses as well. Therefore, this alternative would reduce impacts on agriculture and forestry resources compared to the Project.

Biological Resources

Alternative 2 would reduce development to low-density, scattered residential uses, and would therefore substantially reduce the amount of ground disturbing activities that would impact special status species and habitats. Since this alternative could adversely affect sensitive species and habitats, implementation of mitigation measures would still be required to reduce the impacts to less than significant.

Similar to the Project, this alternative may impact State and Federally-protected wetlands through direct removal, filling, or hydrological interruption. The reduced intensity of development would substantially reduce the number oak trees removed. Development under this alternative would be more dispersed throughout the Project site than the Project, which could increase the extent of impacts to biological resources on the site. Also, Alternative 3 would result in construction activities and post-construction landscape maintenance activities that would interfere with wildlife habitat. These impacts would be reduced through compliance with various development regulations, and implementation of mitigation measures to protect the oak-riparian corridors on the property. Oak tree compensatory mitigation and additional oak tree protection mitigation would be required to reduce tree removal impacts to less than significant. Impacts would be reduced compared to the Project.

Cultural Resources

Alternative 2 would reduce development to low-density, scattered residential uses, and would therefore substantially reduce the amount of ground disturbing activities that would impact potential cultural resources. Nevertheless, this alternative would involve grading and excavation in areas that could contain unanticipated subsurface prehistoric archaeological remains and human remains, and could potentially disturb tribal cultural resources. Similar to the Project, mitigation measures would be required in order to reduce impacts to be less than significant. Impacts would be reduced compared to the Project.

Geology and Soils

This alternative would reduce the amount of grading and ground-disturbing activities on the site compared to the Project. Nevertheless, similar to the Project, development under this alternative would be exposed to risks associated with geologic hazards, including settlement, slope instability, and liquefaction that could cause damage to structures, property, utilities, road access, and people. Implementation of mitigation measures would be required in order to reduce these potential impacts. Overall, this alternative would result in reduced impacts to geology and soils in comparison to the proposed Project.

Hazards and Hazardous Materials

Similar to the Project, this alternative may result in disturbance of hazardous materials associated with former residential structures and agricultural operations that may be present in soils on the Project site. Implementation of mitigation measures, including proper testing and disposal of

building debris, would be required to reduce this impact. Due to the reduced amount of site disturbance, this impact would be reduced when compared to the Project. Construction of this alternative would involve ingress and egress at South Vine Street. As with the project, extended use or blockage of this roadway could impair implementation of, or physically interfere with emergency response plans or emergency evacuation plans within the Project site boundary or for the neighborhoods to the north. Therefore, a construction traffic control plan would be required to reduce this impact to less than significant. This alternative would result in additional human presence in a high fire hazard zone and would risk exacerbating existing fire hazard risks to people and structures in the vicinity. Implementation of mitigation measures would be required to reduce this hazard. The reduced amount of residential development under this alternative would reduce this potential impact compared to the Project. This alternative's impact to hazards and hazardous materials would be less than the Project.

Hydrology and Water Quality

Alternative 2 would involve a reduced overall development footprint compared to the Project. Therefore, this alternative would result in a reduced amount of grading and less increase in the amount of impervious surfaces on the site. As with the project, grading for this alternative would be required to comply with applicable city requirements to maintain adequate drainage and water quality standards. Therefore, potential impacts to water quality and hydrologic conditions under this alternative would be reduced when compared to the Project.

Land Use and Planning

Alternative 2 would reduce the overall development intensity and would not require the requested Sphere of Influence (SOI) amendment, annexation from the County of San Luis Obispo to the City of Paso Robles, Pre-Zoning, application, and General Plan Amendment. Overall, this alternative would be consistent with the County land use designation, and the land use strategy in SLOCOG's 2019 Regional Transportation Plan/Sustainable Communities Strategy, and would result in reduced land use impacts in comparison to the proposed Project.

Noise

Alternative 2 would introduce new low-density residential uses, which would introduce new noise sensitive uses to an area where future exterior noise levels would exceed city standards. Exterior noise abatement mitigation measures would need to be implemented in order to reduce impacts to less than significant. Also, this alternative would result in temporary noise that could exceed 80 dBA Leq in the vicinity of the Project site during the construction phase. Construction equipment noise best management practices would need to be implemented in order to reduce impacts to less than significant. Due to the reduced amount of development and site disturbance, construction and operational noise impacts would be less for this alternative than for the proposed Project.

Public Services

This alternative would generate less development and fewer residences than the Project, and would therefore result in less increase in demand for public services, including fire protection service, police service, parks and recreation services, and library services. Nevertheless, the effect of this alternative on public services would need to be offset by payment of fees, including the CFD Special Tax. Overall, this alternative would reduce impacts to public services compared to the Project.

Utilities

It is possible that under this alternative, some lots may be served by common wells, but this arrangement would depend on private agreements between the landowners. The area is within the Atascadero sub-basin, and is not currently subject to the County emergency ordinance related to new well installation and water conservation. It is not known if it would be subject to groundwater management programs in the future if it remains in the unincorporated area. Also, residences developed under this alternative would each be served by septic tank and leach fields (or perhaps seepage pits) for sewage disposal, and would each have private wells. Thus there would be no impact to existing wastewater conveyance and treatment facilities. This alternative is not proposing a SOI Amendment; therefore, it would not be required to comply with LAFCO conditions of approval for wastewater services/treatment in the Municipal Service Review. This alternative would implement structural improvements to promote onsite infiltration, capture, and treatment of stormwater runoff, similar to the Project. Thus, impacts related to the construction of new or expanded city stormwater facilities would be reduced. Also, Alternative 2 involves less overall development than the Project. As a result, this alternative would not result in exceedance of the Paso Robles landfill permitted daily throughput or permitted total capacity. This alternative's impacts to utilities would be reduced when compared to the Project.

Energy

This alternative would require temporary and long-term consumption of energy resources. However, this alternative would not result in wasteful, inefficient, or unnecessary consumption of energy resources. Overall energy use and related impacts would be reduced with this alternative when compared to the Project.

6.6 Alternative 3: Reduced Development

6.6.1 Description

This alternative would be scaled down to roughly one-third of the proposed intensity of the Project by removing the Vine Street Vineyard Hotel, Village Commercial Center, Promontory Commercial Center, and Vine Street Commercial. Alternative 3 would include one hotel (Hillside Hotel), with a total of approximately 225 rooms, 32,000 square feet of commercial and office space, and 581 parking spots. The development would be located in the north-center portion of the Project site, and would be similar in size to the proposed Hillside Hotel. The remaining portions of the property would develop as an agricultural-residential land use pattern with a substantial portion of the land in agriculture. The residential portion of the Project may not be annexed to the city, but would generally reflect the mixed agriculture and low intensity residential use typical of the adjacent unincorporated lands. This alternative would include the South Vine Street realignment, as proposed for the Project.

6.6.2 Impact Analysis

Alternative 3 differs from the proposed Gateway Project primarily by reducing the proposed intensity of development for commercial and hospitality components. Therefore, this alternative would satisfy fewer Project objectives. The primary effect of this alternative would be a reduction in impacts to aesthetics and air quality. A brief summary of other CEQA issues under this alternative is presented at the end of this discussion.

Air Quality

The air quality analysis for the Project, as proposed, indicates that traffic-related emissions will exceed the APCD threshold for defining a potentially significant impact by a factor of approximately 2.8. To avoid this impact, Alternative 3 would scale down to roughly one-third of the Project's proposed intensity. The overall reduction in development intensity in comparison to the Project would require less construction, which would reduce construction-relate air quality impacts. Also, by reducing the proposed commercial, hotel, and visitor-serving land uses, and removing residential dwelling units, the VMT and related vehicle air contaminant emissions associated with this alternative would be substantially less than for the proposed Project. Therefore, Alternative 2 would reduce impacts to air quality compared to the Project.

Greenhouse Gas Emissions

This alternative would reduce the amount of development and amount of associated construction and operational GHG emissions, including emissions associated with vehicle trips. Nevertheless, this alternative includes development that would generate temporary and long-term increases in GHG emissions. Implementation of a GHG emissions reduction plan would be required to reduce GHG emissions to a level that is consistent with GHG reduction targets contained in the city's Climate Action Plan, measures in the 2019 RTP, the 2017 Scoping Plan, and EO B-55. Overall, Alternative 3 would reduce greenhouse gas emissions impacts when compared to the Project.

Transportation

This alternative would generate substantially fewer vehicle trips than the Project. Similar to the Project, this alternative would facilitate construction of the South Vine Street realignment, which provides substantial circulation benefits in the Project vicinity. As a result, impacts to the transportation network in the study area as a result of traffic would be reduced under this alternative in comparison to the Project. Nevertheless, any trips added to the U.S. 101/Main Street interchange as a result of this alternative would exacerbate existing deficient conditions at the interchange, which would result in a significant and unavoidable impact in accordance with County criteria, similar to the Project. This alternative may also worsen the LOS on the U.S. 101 mainline under General Plan buildout conditions. Due to the lack of feasible mitigation because of uncertainty associated with timing and implementation, this impact would be significant and unavoidable, similar to the Project.

In addition, the reduced amount of construction would reduce short-term traffic impacts. Overall, potential impacts to transportation would be similar under this alternative when compared to the Project.

Other Environmental Topics

Impacts from this alternative with respect to other issues would generally be reduced compared to the Project, due to the reduced amount of site disturbance and reduced amount of vehicle trip generation. Brief descriptions of each issue area are provided below.

Aesthetics

The primary advantage or environmental benefit of Alternative 3 would be a reduction in the change in appearance of the hillsides visible from South Vine Street and the U.S. 101 and SR 46 West corridors. Similar to the Project, this alternative would involve hotel, commercial, and agricultural-

residential development on the Project site that would alter existing views from surrounding public viewpoints to a more developed condition, as the appearance of roadways, driveways, residences, and ancillary buildings would develop. Implementation of this alternative would involve grading on hillsides and removal of native oak trees within the north and central portions of the Project site, visible from surrounding roadways. However, this effect and other impacts to visual scenic resources would be substantially reduced in comparison to the Project due to the overall reduction in site disturbance and structural development.

Agriculture and Forestry Resources

Under this alternative, the amount of new development on the Project site would be substantially reduced. Hotel and commercial development under this alternative would be located in the north-center portion of the Project site. The remaining portions of the property would develop as an agricultural-residential land use pattern with a significant portion of the land in agriculture. The residential portion of the Project may not be annexed to the city, but would generally reflect the mixed agriculture and low intensity residential use typical of the adjacent unincorporated lands. Therefore, this alternative would reduce impacts on agriculture and forestry resources compared to the Project.

Biological Resources

Alternative 3 would reduce development on the Project site by two-thirds, in comparison to the Project, and would substantially reduce the amount of ground disturbing activities that would impact special status species and habitats. Since this alternative could nevertheless adversely affect sensitive species and habitats, implementation of mitigation measures would still be required to reduce the impacts to less than significant.

Similar to the Project, this alternative may impact State and Federally-protected wetlands through direct removal, filling, or hydrological interruption. The reduced intensity of development would substantially reduce the number oak trees removed. Also, Alternative 3 would result in construction activities and post-construction landscape maintenance activities that would interfere with wildlife habitat. These impacts would be reduced through compliance with various development regulations, and implementation of mitigation measures to protect the oak-riparian corridors on the property. Oak tree compensatory mitigation and additional oak tree protection mitigation would be required to reduce tree removal impacts to less than significant. Impacts would be reduced compared to the Project.

Cultural Resources

Alternative 3 would reduce development on the Project site by two-thirds, in comparison to the Project, and would substantially reduce the amount of ground disturbing activities that would impact potential cultural resources. Nevertheless, this alternative would involve grading and excavation in areas that could contain unanticipated subsurface prehistoric archaeological remains and human remains, and could potentially disturb tribal cultural resources. Similar to the Project, mitigation measures would be required in order to reduce impacts to less than significant. Impacts would be reduced compared to the Project.

Geology and Soils

This alternative would reduce the amount of grading and ground-disturbing activities on the site compared to the Project. Nevertheless, similar to the Project, development under this alternative would be exposed to risks associated with geologic hazards, including settlement, slope instability, and liquefaction that could cause damage to structures, property, utilities, road access, and people. Implementation of mitigation measures would be required in order to reduce these potential impacts. Overall, this alternative would result in reduced impacts to geology and soils in comparison to the proposed Project.

Hazards and Hazardous Materials

Similar to the Project, this alternative may result in disturbance of hazardous materials associated with former residential structures and agricultural operations that may be present in soils on the Project site. Implementation of mitigation measures, including proper testing and disposal of building debris, would be required to reduce this impact. Due to the reduced amount of site disturbance, this impact would be reduced when compared to the Project. Construction of this alternative would involve ingress and egress at South Vine Street. As with the project, extended use or blockage of this roadway could impair implementation of, or physically interfere with emergency response plans or emergency evacuation plans within the Project site boundary or for the neighborhoods to the north. Therefore, a construction traffic control plan would be required to reduce this impact to less than significant. This alternative would result in additional human presence in a high fire hazard zone and would risk exacerbating existing fire hazard risks to people and structures in the vicinity. Implementation of mitigation measures would be required to reduce this hazard. The reduced amount of development under this alternative would reduce this potential impact compared to the Project. This alternative's impacts related to hazards and hazardous materials would be less than the Project.

Hydrology and Water Quality

Alternative 3 would involve a reduced overall development footprint compared to the Project. Therefore, this alternative would result in a reduced amount of grading and less increase in the amount of impervious surfaces on the site. As with the Project, grading for this alternative would be required to comply with applicable city requirements to maintain adequate drainage and water quality standards. Therefore, potential impacts to water quality and hydrologic conditions under this alternative would be reduced when compared to the Project.

Land Use and Planning

Alternative 3 would reduce the overall development intensity and the residential portion of this alternative may not be annexed to the city. Nevertheless, this alternative would require the requested Sphere of Influence (SOI) amendment, annexation from the County of San Luis Obispo to the City of Paso Robles for the hotel, office, and commercial portion of the site, a Pre-Zoning, application, and General Plan Amendment. Overall, this alternative would result in less change to existing land use, and would reduce land use impacts in comparison to the proposed Project.

Noise

Alternative 3 would introduce new hotel uses, which would introduce new noise sensitive uses to an area where future exterior noise levels may exceed city standards. Exterior noise abatement

mitigation measures may need to be implemented in order to reduce impacts to less than significant. Also, this alternative would result in temporary noise that could exceed 80 dBA Leq in the vicinity of the Project site during the construction phase. Construction equipment noise best management practices may need to be implemented in order to reduce impacts to less than significant. Due to the reduced amount of development and site disturbance, construction and operational noise impacts would be less for this alternative than for the proposed Project.

Public Services

This alternative would generate approximately two-thirds less development than the Project, resulting in a smaller increase in demand for public services, including fire protection service, police service, parks and recreation services, and library services. Nevertheless, the effect of this alternative on public services would need to be offset by payment of fees, including the CFD Special Tax. Overall, this alternative would reduce impacts to public services compared to the Project.

Utilities

This alternative would generate approximately two-thirds less development than the Project, resulting in a smaller increase in demand on utilities and service systems, including water and wastewater facilities and systems, than the Project. This alternative would implement structural improvements to promote onsite infiltration, capture, and treatment of stormwater runoff, similar to the Project. However, with the reduced amount of development, impacts related to the construction of new or expanded city stormwater facilities would be reduced. Also, as a result of less overall development than the Project, this alternative would not result in exceedance of the Paso Robles landfill permitted daily throughput or permitted total capacity. This alternative's impacts to utilities would be reduced when compared to the Project.

Energy

This alternative would require temporary and long-term consumption of energy resources. However, this alternative would not result in wasteful, inefficient, or unnecessary consumption of energy resources. Overall energy use and related impacts would be reduced with this alternative when compared to the Project.

6.7 Environmentally Superior Alternative

Section 15126.6(e)(2) of the *State CEQA Guidelines* requires that an analysis of Project alternatives identify an environmentally superior alternative among the alternatives evaluated in the EIR. In general, the environmentally superior alternative, as defined by CEQA, should minimize adverse impacts to the Project site and its surrounding environment.

Table 6-3 summarizes the environmental advantages and disadvantages associated with the proposed Project and the analyzed alternatives. *State CEQA Guidelines* section 15126.6 states that if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives.

Table 6-3 Alternative Impact Comparison to the Gateway Project

Issue	Proposed Project Impact Classification	Alternative 1: No Project	Alternative 2: Rural Residential Development in County Jurisdiction	Alternative 3: Reduced Development
Major Topics (EIR identifies significant and unavoidable impacts)				
Air Quality	Significant and Unavoidable	Less	Less	Less
Greenhouse Gas Emissions	Significant and Unavoidable	Less	Less	Less
Transportation and Traffic	Significant and Unavoidable	Less	Similar	Similar
Other Environmental Topics (EIR identifies impacts that are less than significant with or without mitigation)				
Aesthetics	Less than Significant with Mitigation Incorporated	Less	Less	Less
Agricultural Resources	Less than Significant with Mitigation Incorporated	Less	Less	Less
Biological Resources	Less than Significant with Mitigation Incorporated	Less	Less	Less
Cultural Resources	Less than Significant with Mitigation Incorporated	Less	Less	Less
Geology/Soils	Less than Significant with Mitigation Incorporated	Less	Less	Less
Hazards and Hazardous Materials	Less than Significant with Mitigation Incorporated	Less	Less	Less
Hydrology and Water Quality	Less than Significant with Mitigation Incorporated	Less	Less	Less
Land Use/Planning	Less than Significant	Less	Less	Less
Noise	Less than Significant with Mitigation Incorporated	Less	Less	Less
Public Services	Less than Significant	Less	Less	Less
Utilities and Service Systems	Less than Significant	Less	Less	Less
Energy	Less than Significant with Mitigation Incorporated	Less	Less	Less
Overall		**15 Less, 0 Similar, 0 Greater**	**14 Less, 1 Similar, 0 Greater**	**14 Less, 1 Similar, 0 Greater**

Alternative 2, as described in Section 6.5, would only introduce residential and agricultural land uses. These land uses would be less intense than the proposed Project, which would reduce the VMT and associated air contaminant emissions, as well as GHG emissions. Under this alternative, impacts for all other issue areas would be the same or less than the proposed Project, due to the reduced amount of site disturbance and reduced amount of vehicle trip generation. The major disadvantage from this alternative relates to the lower intensity of development and the higher uncertainty in funding the realignment of South Vine Street that would be facilitated by the Project. This alternative would eliminate the two significant and unavoidable Air Quality and GHG emissions impacts that would result from the proposed Project, but would result in significant and unavoidable impacts to transportation similar to the Project.

As described in Section 6.6, Alternative 3 would remove multiple Project components, drastically limiting the intensity of visitor-serving land uses to be located in the north-center portion of the Project site. The remaining portions of the property would develop as an agricultural-residential land use pattern with a substantial portion of the land in agriculture and open space. Under this alternative, the impacts to air quality, increases in GHG emissions, and as a result of increased traffic would be reduced in comparison to the Project as a result of much lower trip generation than the Project. This alternative would reduce the significant and unavoidable impacts to air quality, GHG emissions, but would result in significant and unavoidable impacts to transportation similar to the Project.

Based on the comparison provided in Table 6-3, the No Project Alternative (Alternative 1) would result in the fewest adverse environmental effects. However, since this is the “No Project” alternative, CEQA requires that a separate alternative also be identified as the environmentally superior alternative. For this reason, and with consideration of issues related to achieving the Project objectives and to reducing environmental impacts, Alternative 2 is deemed the environmentally superior alternative. While Alternatives 2 and Alternatives 3 would both eliminate the significant and unavoidable air quality and GHG emissions impacts identified for the Project, Alternative 2 would be consistent with the current land use categories and requirements in the County of San Luis Obispo General Plan and Land Use Ordinance. As a result, the site would be developed as currently intended, resulting in fewer potential environmental impacts as a result of proposed land use changes to the site.

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